

OMNIBUS JUDGESHIP BILL

JUNE 25, 1956.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ROGERS of Colorado, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H. R. 11743]

The Committee on the Judiciary to whom was referred the bill (H. R. 11743) to provide for the appointment of additional circuit and district judges, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the proposed legislation is to provide for an increase in the number of circuit and district court judges where the need for the increase of judicial manpower has been proven to be absolutely necessary and justified.

The bill provides for the creation of 1 additional circuit judge and 20 additional district court judgeships, including 1 additional district judge for the Territory of Alaska. The additional circuit judgeship authorized in the bill is in the second judicial circuit. The 20 new permanent district judgeships created are as follows:

- One for the northern district of California.
- One for the district of Colorado.
- One for the district of Connecticut.
- One for the northern and southern districts of Iowa.
- One for the district of Kansas.
- One for the eastern district of Louisiana.
- One for the district of Maryland.
- One for the eastern district of Michigan.
- One for the southern district of Mississippi.
- Three for the southern district of New York.
- One for the eastern district of New York.
- One for the eastern, middle, and western districts of North Carolina.

One for the northern district of Ohio.
Two for the eastern district of Pennsylvania.
One for the northern district of Texas.
One for the western district of Texas.
One for the Territory of Alaska.

In addition to the creation of the foregoing judgeships, the bill also provides for other aspects of the Federal judicial system.

With regard to the Territory of Alaska, the proposed legislation not only provides for an additional district judge, but also contains provisions whereby greater flexibility in the use of the judicial manpower in Alaska is made available.

The bill also provides that the city of Decatur shall be designated as a place of holding court for the northeastern division of the northern district of Alabama.

Another provision of the bill provides for the transfer of Marion County from the southern division to the Winchester division of the eastern district of Tennessee.

Likewise, the bill provides for the transfer of Shelby County from the Beaumont division to the Tyler division of the eastern district of Texas.

Accordingly, the bill amends the various appropriate sections of titles 28 and 48 of the United States Code.

LEGISLATIVE HISTORY

Early in 1955, the subcommittee initiated hearings on a number of individual bills which had been introduced creating additional circuit and district judges throughout the United States, as well as others dealing with various aspects of the Federal judicial system. Some of the bills would have created new districts; others, new divisions. Bills were also introduced and considered which would have created a new judicial circuit. Other bills were introduced changing the existing lines of various divisions of the district courts as well as authorizing new places for holding terms of court.

After hearing testimony on these various bills, the subcommittee learned that there was in existence throughout the United States several vacancies in Federal judgeships which had existed for some period of time. The subcommittee, therefore, decided to postpone any further hearings on these judicial bills until such time as those existing vacancies had been filled. Members of the subcommittee expressed the opinion that it would be most difficult to secure favorable enactment of a bill to create new, additional judgeships, particularly in districts where existing vacancies had not been filled over a period of several months.

In February of 1956, the subcommittee reconvened its hearings on the various judicial bills. In the meantime it obtained from the Administrative Office of the United States Courts and also from the Judicial Conference of the United States additional recommendations for the creation of new judgeships. The subcommittee also learned that most of the vacancies which had been in existence had been filled.

On completion of the hearings the subcommittee rejected many of the proposals submitted and adopted others. It then ordered reported an omnibus bill, H. R. 3559, amended.

The Committee on the Judiciary favorably considered the provisions contained in the amended version of H. R. 3559 and directed the chairman to introduce a clean bill, H. R. 11743, which was ordered favorably reported without amendment.

GENERAL STATEMENT

In its consideration of the various proposals relating to the Federal judiciary, the subcommittee obtained the views not only of the Department of Justice and the Judicial Conference of the United States, but included among its witnesses the judges themselves, members of the bar of the various States, and many members of local civic organizations who expressed the desire to present their views on local judicial problems. In addition, many Members of both the House of Representatives and the Senate were heard on various proposals either introduced by them or affecting their constituencies.

The Administrative Office of the United States Courts furnished the committee with the statistics and other background material which enabled the committee to evaluate the need for new judgeships. The study of the subcommittee was not limited to a current appraisal of the problem but was viewed from a long term viewpoint. That viewpoint reverted back to the fiscal year of 1941 and continued up to the first half of the fiscal year 1956.

The analyses and conclusions of the committee determined that today in the courts of the United States the delay of justice is a terrible and pressing problem. It requires no imagination to appreciate the depressing effect on the litigants who have to wait a long time in order to secure an adjudication of their lawsuits. Moreover, particularly in private civil cases, this long delay may be a means of defeating justice. A litigant with a justifiable cause of action tends to settle his lawsuit even at a possibly lower figure than justified because he cannot afford a protracted delay while in a dire financial status. Such a widespread public reaction to the Federal judicial system is one fraught with danger since nothing would undermine more quickly our democratic form of government than for the body politic to lose its confidence in our Federal judicial system. The citizens of the United States have traditionally looked to the courts as the great source for the protection of their rights and liberties. Thus, the problem and all of its various aspects should not be permitted to go unsolved. In determining a solution to this problem, however, it appears that mere increase in judicial manpower would not be the sole solution. There are many instances where the need is of such a nature that no other immediate solution is possible except to create more judicial manpower to stem the rising tide of litigation. This committee, in recommending favorable enactment of this bill, has done just that. The various judgeships it has approved are for those districts and circuit courts where the need is greatest and chronic. Moreover, time is of the essence in these instances since the longer the delay in furnishing judicial manpower the greater the backlog and the longer the litigation is delayed before final adjudication.

The growing congestion in many district courts is readily seen in the rise of the number of pending civil cases over the years. Moreover, that problem is accentuated by the increase in the time required from filing to disposition of cases which are ultimately tried. In some

instances that time interval is from 2 to 3 years. Such a protracted delay may easily be the cause of a denial of justice. Witnesses die, and memories grow dim, with the result that when the day of adjudication arrives what was once a strong cause of action has been weakened or lost completely.

Since the end of World War II the number of private civil cases filed annually has more than doubled. At the same time, the number of these cases which are pending have practically tripled. For instance, in 1945, 17,855 private civil cases were filed, 16,753 were terminated and 16,239 were pending at the close of the fiscal year. In that year there were 198 judgeships. By 1955, with 250 judgeships, 39,225 of these cases were filed, 37,363 were terminated and the pending figure was 47,621. Percentagewise then, in this type of case there was a 120-percent increase in cases filed, 123 percent in cases terminated, and 193 percent pending at the close of the fiscal year. For the same period the percentage increase in the number of judgeships was 26 percent. While your committee is cognizant of the fact that mere statistics may often be misleading, nevertheless, they are strong telltales when considered with the nature of the litigation involved. It is these private civil cases which are often the most difficult and by far the most time-consuming part of the business of the courts.

A major cause in the rise in these private civil cases is found in those cases arising from automobile accidents. One's own experience amply demonstrates the tremendous increase in travel, in the number of people and automobiles on the highways of this Nation. The records of the Federal courts point to a steady increase in this type of accident case since World War II ended.

A second important factor in the business of our Federal courts are those cases in which the Government is a party. In all civil cases the Department of Justice is plaintiff in 25 percent and defendant in 8 percent annually. When criminal cases are included the United States is a party in about 60 percent of all the cases in the Federal district courts.

While it is true that those civil cases in which the Government is a party have decreased somewhat since 1953, nevertheless the total volume of that litigation must be taken into consideration. Generally, since 1953, the civil cases in which the United States was either plaintiff or defendant, ranged between 12,000 and 11,000 cases each year. With regard to the nature of these cases, it should be recalled that many of these cases are very complex and often require lengthy periods of trial. Thus, while not as great as the private cases in number, these Government suits, by and far, naturally demand the attention of judicial manpower which lessens that which would be available for the other cases.

A third aspect of the problem of congestion is the criminal business of the district courts. Since the end of the war there has been only a small change in the volume of the criminal business, if the immigration cases arising in the districts along the Mexican border are eliminated. Fortunately, and it should be the case, the number of pending criminal cases is small. In 1955, 35,310 criminal cases were filed. Here the terminations exceeded the filings so that 8,643 cases were pending at the close of the fiscal year. Of that figure, over 1,700 could not be tried since they involved either fugitives or other

defendants who were not in Federal custody. On the whole, the criminal dockets of the district courts are in satisfactory condition, and criminal cases continue to receive priority in handling and disposition. Still it must be remembered that even these cases require time and effort so that they, too, diminish the available judicial manpower and hours.

Studies conducted by the Administrative Office of the United States Courts indicate that disposition of criminal cases does not, on the average, take more than 20 percent to 25 percent of the time of a district judge and that, case for case, the Government cases take not over one-third of the time which private cases require. This would include not only the time spent in court but also that spent in chambers.

The overall picture of the problem facing the Federal judiciary is quite startling. In the fiscal year 1955 the total of all civil cases filed was 59,375 which was a few less than the number filed in 1954. The cases terminated were 58,974, which was over 1,000 more than in 1954. However, the number of pending civil cases increased to 68,832.

Perhaps even more telling is the fact that the median interval from filing to disposition of civil cases in which a trial was held and terminated in the district courts in the 86 districts having only Federal jurisdiction increased over a month to 14.6 months. In 25 districts that figure exceeded the national median.

It is evidently clear that the large and constant increase in the number of cases pending at the close of the fiscal year has been due to the inability of the district judges in many of the districts to terminate as many cases each year as were filed with the result that the backlog has considerably more than doubled in the past 15 years. In this connection, however, it should be borne in mind that the Federal judges as a group have been disposing of a larger number of civil cases. For instance, for the fiscal year of 1955 the judges terminated 58,974 cases as compared with 53,259 in 1950 and 38,561 in 1941. Thus, in 1941 the judges disposed on an average of 196 cases per judge; in 1955 this was 236 cases per judge, or an increase roughly of 20.4 percent.

In connection with those figures, it should be noted that in 1941 there were 197 district judges. In 1950 there were 221 and in 1955, 250. However, the real problem becomes evident when a comparison is made of the percentage increases from 1941 to 1955. The number of district judgeships for that period was increased 26.9 percent, but the number of civil cases instituted increased 54.3 percent while the number docketed increased 52.9 percent. Most significant, however, was the increase in the cases pending at the end of the year which was 134.2 percent.

Here it should be noted that the Federal judicial system is not, comparatively speaking, a large organization. Its budget is about one-twentieth of 1 percent of the annual appropriation for all Government. It has approximately 300 judges and about 4,500 employees. With this vast increase in the number of cases being filed in the Federal courts, the Congress has created 57 judgeships between 1945 and 1954. The last increase in the number of judges was authorized by Public Law 294 of the 83d Congress, by act of February 10, 1954, at which time 30 new circuit and district judges were created and three temporary judgeships were made permanent.

The creation of new judgeships in and of itself is not a positive solution to the problem. Very often, because of the fact that the system of creating new judgeships is long and cumbersome, there is a long period of delay from the time at which the new judgeship is needed to the date when it is eventually filled. There is a certain element of delay in obtaining not only the approval of the Judicial Conference of the United States, but also in securing legislative enactment for the new judgeship. Then there is the further delay occasioned by the selection of the nominee and his confirmation. During that period of time the litigation piles up so that when the judge himself finally ascends the bench the need and purpose for which his judgeship was created has been aggravated. In some instances one can almost say that a new need for another additional judge arose during that period. It is clear, then, that every effort should be made to terminate the long lapse of time between determination of the need for an additional judge and the actual appointment of the judge.

Efforts have been made, however, on the part of the judges themselves as well as the Department of Justice to remedy this problem. The Judicial Conference of the United States has created a committee to study the administration of all Federal courts and to recommend ways of bringing cases to trial more rapidly. The Department of Justice, in an effort to speed the trial of those cases in which it is a party, is employing additional attorneys. Courts are attempting to hold longer daily sessions and to cut down on vacation periods.

In this regard it should be recalled that the actual time a judge spends on the bench is not conclusive as to the overall hours expended on his judicial duties. During the hearing it was demonstrated to the subcommittee that a great deal of a judge's time is spent in chambers studying briefs and motions, reading law, writing opinions and in conferences.

Efforts have been expended to alleviate the problem by transferring judges from those districts wherein the work load is small and assigning them to areas where the calendars are congested.

Other methods are being tried such as that recently accomplished in the southern district of New York. In that district is one of the largest and most congested dockets in the Federal courts. For years between 5,000 and 6,000 cases have been on the civil trial calendar. The judges of that court undertook to reduce this congestion so as to assure an early trial. The chief features of the system instituted were the transfer of control of calendars from a clerk to a judge and drastic reductions in the number of adjournments granted to lawyers. The results of that effort have been most successful. Hundreds of cases were disposed of by settlement. Cases not ready for trial were removed from the calendar and those ready for trial were placed on the ready calendar and the trial became imminent. The result of the effort was a reduction of 60 percent in a period of just 7 months, and the backlog of civil cases was reduced from 10,735 on March 31, 1955, to 8,825 a year later.

A further effort in the reduction of the congestion in the courts was the convocation of a national conference on congestion in the courts held here in Washington May 21, 1956. There, members of both State and Federal judiciary and others connected with the courts met with a view to analyzing the problem on both a Federal and State level.

In recommending these additional judgeships, the Committee on the Judiciary has proposed a minimum addition to the judicial manpower so as to meet the most acute situations. Evidence was heard which indicates that in the very near future districts other than those covered in this legislation will be in need of additional manpower. However, at this time, it is the opinion of the committee that the enactment of this proposed legislation will go far in alleviating the need where it is greatest.

SECOND JUDICIAL CIRCUIT

Under the terms of the bill, one additional circuit judge is provided for the Court of Appeals of the Second Judicial Circuit.

The second judicial circuit covers the States of Vermont, Connecticut, and New York, which had a population in 1950 of 17,215,219. The place of holding court is New York City. Under the Judicial Code of 1911, four judges were provided for the second judicial circuit. That number was increased to 5 in 1929 and to 6 in 1938. The number of judges has remained the same since then and this bill would increase the number of judges from 6 to 7.

There are presently three retired chief judges of that circuit in active service. All have rendered judicial service from time to time and one who retired in 1951 has sat practically continuously from then to date. During the fiscal year of 1955, two judges were assigned from other circuits to assist in the second judicial circuit.

From 1941 to 1950 there was a slight decrease in the number of cases filed in this court of appeals. In the following 4 years that figure remained fairly constant at a rate of about 350 per annum until the fiscal year 1955, when there was a sharp increase of about 60 percent over the preceding year. The result was that pending cases increased from 154 to 282 as of June 30, 1955. As of the first half of the fiscal year for 1956 there appeared to be a slight decline in the number of appeals filed but nevertheless the filing rate in this circuit is still considerably greater than the national average.

Almost one-half of the cases commenced in the Court of Appeals for the Second Circuit are from the United States District Court for the Southern District of New York. The appeals from that court have risen from 186 in 1950 to 270 in 1955. At the same time appeals from the other district courts and from the Tax Court of the United States have also increased.

Since 1950 the total number of appeals has increased 83 percent and the appeals from the court themselves by 70 percent. Over the last 6 years the number of appeals commenced by judgeship in this circuit averaged 65 in comparison with the national average per judgeship over the same period of 49. In 1954 the case load per judgeship for the second circuit of 61 was exceeded only by the fourth and fifth circuits and exceeded the national average of 51 by over 20 percent. In the fiscal year of 1955 the second circuit was then first with an average caseload per judge of 97, almost 80 percent above the national average of 54.

In spite of the heavy caseload, this circuit has maintained a record of prompt disposal of cases. In fiscal 1955, the median time from the filing of the record to final disposition was 5.1 months for 349 cases.

The creation of this judgeship for the second judicial circuit has been recommended and approved by the Judicial Conference of the United States and the Department of Justice.

Appeals filed, terminated, and pending at the end of the year in the United States Court of Appeals for the 2d Circuit, fiscal years 1941-55

Fiscal year	Com- menced	Termi- nated	Pending June 30 ¹	Fiscal year	Com- menced	Termi- nated	Pending June 30 ¹
1941.....	533	548	142	1949.....	344	351	124
1942.....	501	471	172	1950.....	318	355	87
1943.....	499	504	167	1951.....	361	319	129
1944.....	595	547	215	1952.....	350	349	130
1945.....	466	520	161	1953.....	352	359	² 113
1946.....	425	450	136	1954.....	366	325	² 154
1947.....	378	386	128	1955.....	581	453	² 282
1948.....	381	378	131	1st half of 1956.....	224	174	² 332

¹ For the years 1941 to 1952, inclusive, this includes appeals which had been decided but in which a motion for rehearing was pending or time for such motion had not expired.

² Does not include any decided cases.

Source of appeals and original proceedings commenced in the U. S. Court of Appeals for the Second Circuit during the fiscal years 1950-55

Source of appeal	Fiscal year					
	1950	1951	1952	1953	1954	1955
Total appeals.....	318	361	350	352	366	581
Connecticut.....	16	11	15	17	22	33
New York, northern.....	7	5	10	12	10	31
New York, eastern.....	34	49	33	43	39	76
New York, southern.....	186	177	165	167	159	270
New York, western.....	15	11	7	19	19	28
Vermont.....	4	2	2	3	3	8
The Tax Court of the United States.....	32	54	57	43	52	69
National Labor Relation Board.....	18	31	35	29	45	36
All other boards and commissions.....	5	12	12	12	7	16
Original proceedings.....	1	9	14	7	10	14

Cases commenced per judgeship

	Fiscal year 1954	Fiscal year 1955		Fiscal year 1954	Fiscal year 1955
All circuits.....	51	54	Fifth.....	73	75
District of Columbia.....	52	49	Sixth.....	51	53
First.....	35	51	Seventh.....	50	48
Second.....	61	97	Eighth.....	33	37
Third.....	36	44	Ninth.....	57	43
Fourth.....	70	67	Tenth.....	42	48

Additional circuit judgeships created by Congress since 1939 with the caseload per judge of the circuit in which the judgeship was recommended during the year preceding the action by Congress

Circuit	Number of additional judgeships	Date of act	Caseload per judge of cases filed during preceding fiscal year
Sixth.....	1	May 24, 1940	60
Eighth.....	2	do.....	63
Fifth.....	1	Dec. 14, 1942	77
Third.....	1	Dec. 7, 1944	55
D. C.....	3	Aug. 3, 1949	77
Third.....	1	do.....	42
Seventh.....	1	do.....	55
Tenth.....	1	do.....	54
Fifth.....	1	Feb. 10, 1954	80
Ninth.....	2	do.....	64

TABLE 1.—Cases commenced per judgeship in the United States courts of appeals during fiscal years 1941–55, by circuit

Circuit	Number of cases commenced														
	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955
Total all circuits.....	56	57	53	53	46	45	44	47	51	44	46	47	50	51	54
District of Columbia.....	45	58	45	47	47	49	44	58	77	48	44	48	47	52	49
First.....	29	33	40	35	28	25	33	26	25	22	27	27	28	35	51
Second.....	89	84	83	99	78	71	63	64	57	53	60	58	59	61	97
Third.....	57	58	71	55	50	33	44	48	42	34	39	40	42	36	44
Fourth.....	53	46	52	49	41	36	43	49	56	65	58	58	56	70	67
Fifth.....	81	77	58	59	55	50	54	66	76	68	70	75	80	73	75
Sixth.....	54	47	46	41	34	39	35	38	36	40	38	38	51	51	53
Seventh.....	68	65	57	56	48	52	56	46	55	46	39	34	43	50	48
Eighth.....	47	40	44	36	30	39	23	27	29	26	32	34	33	33	37
Ninth.....	42	48	42	49	38	41	45	41	46	45	58	63	64	57	43
Tenth.....	47	62	47	48	55	45	40	49	54	32	39	38	38	42	48

NORTHERN DISTRICT OF CALIFORNIA

The bill provides for the creation of one additional district judge for the northern district of California, thus increasing the number of judges there from 7 to 8.

The State of California is divided into two judicial districts, the northern and southern. The northern district, which is composed of 2 divisions, the northern and southern, holds court at Sacramento and Eureka in the northern division and at San Francisco in the southern division. The area encompassed within the northern district includes counties with enormously increasing populations as well as industrial and agricultural expansion.

The Judicial Code of 1911 provided for two judges for the northern district of California. In 1922 a third judge, but a temporary one, was added and that judgeship was made permanent in 1927. The fourth judgeship was added in 1938 and a fifth in 1946. In 1949, 2 additional judgeships were created, bringing the court manpower there to 7.

In the southern district of California, the number of district judges authorized is 11, the last one being created by act of February 10, 1954. In recent years the litigation in this district included many civil cases

to which the United States was a party. These cases included such suits as those by aliens to establish citizenship, land condemnation and admiralty. Since the last addition to the judicial power of the district in 1949, the civil cases commenced have increased from 1,308 to 1,991, those terminated from 1,285 to 1,355 and the pending case-load from 1,513 to 2,443.

Another aspect of the work in this district is the heavy criminal docket in San Francisco where over the last 5 years nearly one-third of all criminal cases in the district were filed at that location. Much of the time of the court is taken up with these criminal trials. From time to time the judge who is permanently stationed at Sacramento has received assistance from those judges stationed at San Francisco.

The Judicial Conference of the United States and the Department of Justice have recommended and approved the creation of this additional judge. Attached hereto is a report of the judicial business of that district prepared by the Administrative Office of the United States Courts, together with tables setting forth the business of that court over the years.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

In recent years the business of this district has been characterized by an extraordinary load of United States civil cases and more particularly of suits by aliens to establish citizenship, land condemnation cases, and admiralty litigation. The number of private civil cases filed per judge has been consistently below the national average and diversity of citizenship cases have been running about one-third of the national average.

The flow of civil cases in this district for the prewar year 1941 and for the postwar years, 1946-54 has been as follows:

Fiscal year	Com- menced	Termi- nated	Pending at end of year	Fiscal year	Com- menced	Termi- nated	Pending at end of year
1941.....	731	772	428	1950.....	1,328	1,468	1,373
1946.....	1,860	1,811	1,377	1951.....	1,245	1,290	1,328
1947.....	1,858	1,530	1,705	1952.....	1,448	1,232	1,544
1948.....	1,172	1,387	1,490	1953.....	1,875	1,212	2,207
1949.....	1,308	1,285	1,513	1954.....	1,591	1,355	2,443

The large increases in 1946-47 were due to OPA cases.

The 731 civil cases commenced in 1941 were less than one-half of the number commenced in 1954 and the 428 civil cases pending on June 30, 1941, were less than one-fifth of the number pending at the end of the fiscal year 1954. During that period the number of judgeships increased from 4 to 7.

At the present time one judge is permanently stationed at Sacramento and he receives some assistance from the judges at San Francisco. The civil, private civil, and criminal cases filed at San Francisco and Sacramento since 1946 have been as follows:

Fiscal year	Total			San Francisco			Sacramento		
	Total civil	Private civil	Criminal	Total civil	Private civil	Criminal	Total civil	Private civil	Criminal
1946-----	1,860	242	1,059	1,536	(1)	783	324	(1)	276
1947-----	1,858	546	685	1,582	498	482	276	48	203
1948-----	1,172	537	596	1,007	476	421	165	61	175
1949-----	1,308	534	648	1,105	457	438	233	77	210
1950-----	1,328	535	585	1,159	491	428	169	44	157
1951-----	1,245	508	418	1,056	427	311	189	81	107
1952-----	1,448	498	481	1,263	430	262	185	68	219
1953-----	1,875	687	501	1,621	614	332	254	73	169
1954-----	1,591	720	680	1,400	640	445	191	80	235

¹ Figures not available.

The criminal work in Sacramento is heavy. Last year 235 out of 680 criminal cases filed in the district were docketed in Sacramento and over the last 5 years one-third of all criminal cases in northern California were filed there. In 1954 out of 126 trial days in Sacramento 60 were spent on criminal business, not including the time spent on pleas and sentences.

On June 30, 1954, there were 2,443 civil cases pending in the district, 1,413 of which had been on the dockets for more than 1 year. Of the total number pending 693 were suits to review or enjoin the acts or decisions of Government officials or agencies. These are mostly Nationality Act cases filed prior to the effective date of the McCarran Act and they are awaiting the decision of questions now before the appellate courts. Pending land condemnation cases numbered 230 and all but 11 of these have been on the dockets for more than 1 year. United States plaintiff suits on negotiable instruments numbered 153 and cargo damage suits in admiralty, brought by private parties, were 256, two-thirds of which were more than 1 year old on June 30, 1954. These four categories of cases account for over one-half of the total cases pending on that date and three-fourths of all the cases pending on June 30 which were on the dockets for 1 year or more.

Most of the pending Nationality Act cases were filed during the fiscal year 1953 and in that year the caseload of civil cases commenced per judgeship increased to 268 as compared to a caseload of 207 civil cases the year before. In the fiscal year 1954 the caseload decreased to 227 cases compared with 210 civil cases nationally.

Table 1, attached, including the entire district shows a steady increase in the civil cases filed in the northern district since the year 1948. The large increase in 1953 was accounted for by the filing of a great number of Nationality Act cases. There were a total of 676 of these cases still pending on December 31, 1954, 605 at San Francisco and 71 at Sacramento. The number of criminal cases has increased only moderately since 1948 but they have included some long criminal trials which have taken a considerable amount of court time.

Table 2 for the district shows the cases commenced per judgeship compared with the national average. For the last 3 years the total civil cases per judgeship have approximated the national average but the criminal caseload has been below the national average per judgeship. Private civil cases have been consistently below the national average per judgeship and these ordinarily take much more time of the judge than do Government civil cases. However there are some additional factors which are entitled to consideration.

One of these is the Nationality Act cases to which reference has already been made. When the points of law on this subject now before the court of appeals are settled, these cases can be disposed of but it is impossible to tell how much time this will require for the individual case.

Another factor not adequately represented in the statistics is the burden of land condemnation cases. As of December 31 there were 97 of these pending in San Francisco and 141 in Sacramento or a total of 238. Many of these cases include a number of tracts and as the district doesn't use commissioners in these cases they may require considerable time for trial. About one-half of them were filed before the fiscal year 1948.

According to the Lands Division of the Department of Justice, there are three principal condemnation projects in the district. The Folsom Reservoir in the northern division consists of about 119 tracts which have not yet been settled. These are reported to be complicated cases a large percentage of which will have to be tried. The earliest of them were filed in 1948 and 1949 but most of the cases were filed within the last 2 or 3 years.

The Farmington Dam also in this division has about 35 tracts still pending.

The Central Valley project is divided between the northern and southern divisions and consists mainly of canals for irrigation and rights-of-ways for transmission lines. There may also be some small dams involved. In these cases the majority of the claims are for severance damages. The number of tracts is larger than for the Folsom Reservoir project.

The Lands Division of the Department of Justice has 3 men working constantly in San Francisco and 1 other assistant has been working at least part of the time. These representatives of the Lands Division report that they have been having a difficult time getting their cases to trial and that there has been a considerable amount of delay caused by the congestion of the court dockets.

A third factor is the unusually large number of long trials in this district. For the last 3 years there has been an average of 12 trials per year taking 10 days or over and one-half of these trials have been criminal trials. A summary of the number of these long trials is as follows:

Long trials in the northern district of California

Fiscal year	Number of trials over 10 days	Total trial days
1952.....	9	176
1953.....	13	283
1954.....	13	216
Average.....	12	225

The condition of the docket is shown by the median time from filing to disposition and from issue to trial for civil cases reaching trial. The figures in table 3 indicate that the medians were below the national median in 1951, about equal to it in 1952, somewhat above it in 1953,

and equal to it again in 1954 when the time from filing to disposition was 13.6 months and the time from issue to trial was 8.1 months.

Table 4 shows the cases commenced per judgeship in the northern district by nature of suit compared with the national average in 1954.

The number of civil cases filed in the Sacramento division has also been increasing and the pending caseload has risen from 250 at the end of 1948 to 359 at the end of fiscal year 1954. Here, as in San Francisco, the increase has been in United States cases. The criminal caseload has varied from year to year but in 1954 was considerably large than in any other recent year. The pending criminal caseload however has been kept down and was only 63 on June 30, 1954.

The following table shows that the population of this district from 1940 to 1950 increased over 50 percent as compared with 14 percent for the whole country and from 1910 to 1950, 188 percent compared with 62 percent nationally:

	Northern district of California		United States, less northern district of California	
	Population	Percent gain	Population	Percent gain
1950.....	4,049,064	-----	146,648,297	-----
1940.....	2,662,237	-----	128,602,994	-----
10-year gain.....	1,386,827	52.09	18,045,203	14.03
1940.....	2,662,237	-----	128,602,994	-----
1930.....	2,325,880	-----	120,449,166	-----
10-year gain.....	336,357	14.46	8,153,826	6.77
1930.....	2,325,880	-----	120,449,166	-----
1920.....	1,753,646	-----	103,956,971	-----
10-year gain.....	572,234	32.63	16,492,195	15.86
1920.....	1,753,646	-----	103,956,971	-----
1910.....	1,407,368	-----	90,564,898	-----
10-year gain.....	346,278	24.60	13,392,073	14.79
Net gain, 1910-50.....	2,641,696	187.71	56,083,299	61.93

In a 4-year period the population of the entire State of California increased from 10,586,223 to an estimated 12,554,000 on July 1, 1954. This is an 18.6 percent increase.

During the first half of the fiscal year 1955 there has been an increase in the civil cases commenced to 756 compared to 723 civil cases in the similar period of the fiscal year 1954. Criminal cases remained about the same, 297 in the first half of 1955 as compared with 290 in the first half of 1954.

Taking into consideration the increases in cases commenced and the number pending at the end of the year and the rising population trend of this district, the Judicial Conference of the United States in September 1953 recommended the creation of one additional judicial position on a permanent basis, and has renewed this recommendation at subsequent meetings.

Complete statistical tables showing the number of civil and criminal cases in this district for the last 14 fiscal years are attached.

NORTHERN DISTRICT OF CALIFORNIA

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	731	772	428	1949.....	1,308	1,285	1,513
1942.....	644	649	423	1950.....	1,328	1,468	1,373
1943.....	868	670	621	1951.....	1,245	1,290	1,328
1944.....	1,302	1,017	906	1952.....	1,448	1,232	1,544
1945.....	2,020	1,598	1,328	1953.....	1,875	1,212	2,207
1946.....	1,860	1,811	1,377	1954.....	1,591	1,355	2,443
1947.....	1,858	1,530	1,705	1955.....	1,399	1,462	2,380
1948.....	1,172	1,387	1,490	3 quarters of 1956..	932	1,126	2,186

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	279	301	237	1949.....	534	516	626
1942.....	259	311	185	1950.....	535	647	514
1943.....	181	210	156	1951.....	508	525	497
1944.....	175	177	154	1952.....	498	499	496
1945.....	216	180	190	1953.....	687	499	684
1946.....	242	198	234	1954.....	720	618	786
1947.....	546	292	488	1955.....	677	590	873
1948.....	537	417	608	3 quarters of 1956..	473	639	707

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Termi- nated	Pending June 30	Fiscal year	Commenced	Termi- nated	Pending June 30
1941.....	452	471	191	1950.....	793 (334)	821	859
1942.....	385	338	238	1951.....	737 (286)	765	831
1943.....	687 (125)	460	465	1952.....	950 (179)	733	1,048
1944.....	1,127 (562)	840	752	1953.....	1,188 (151)	713	1,523
1945.....	1,804 (1,343)	1,418	1,138	1954.....	871	737	1,657
1946.....	1,618 (1,050)	1,613	1,143	1955.....	722	872	1,507
1947.....	1,312 (755)	1,238	1,217	Three-quarters of 1956.....	459	487	1,479
1948.....	635 (220)	970	882				
1949.....	774 (318)	769	887				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com- menced	Termi- nated	Pending, June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	485	485	146	1949.....	648	800	351
1942.....	661	623	184	1950.....	585	669	239
1943.....	706	708	182	1951.....	418	452	193
1944.....	1,165	992	355	1952.....	481	448	230
1945.....	1,314	1,221	448	1953.....	501	486	245
1946.....	1,059	1,013	494	1954.....	680	671	250
1947.....	685	836	401	1955.....	594	722	155
1948.....	596	831	313	3 quarters of 1956..	515	508	188

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		California (northern)	National average ²	California (northern)	National average ²	California (northern)	National average ²
1941-----	4	183	164	70	82	121	153
1942-----	4	161	168	65	77	165	161
1943-----	4	217	158	45	58	177	174
1944-----	4	326	169	44	56	291	184
1945-----	4	505	295	54	57	329	176
1946-----	5	372	321	48	70	212	142
1947-----	5	372	271	109	109	137	134
1948-----	5	234	205	107	117	119	123
1949-----	5	262	238	107	121	129	123
1950-----	7	190	222	76	113	83	116
1951-----	7	178	204	73	111	59	106
1952-----	7	207	236	71	126	69	112
1953-----	7	268	261	98	146	70	114
1954-----	7	227	210	103	127	90	103
1955-----	7	200	212	97	126	79	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried* ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		California (northern)	National median	California (northern)	National median
1945-----	81	7.7	9.0	4.7	5.3
1946-----	134	11.2	8.9	5.1	5.0
1947-----	153	8.9	9.0	5.0	5.1
1948-----	223	10.5	9.9	5.9	5.8
1949-----	239	10.1	10.4	4.9	5.9
1950-----	243	10.5	11.2	5.7	6.7
1951-----	242	11.0	12.2	5.7	7.3
1952-----	193	12.4	12.1	7.4	7.0
1953-----	189	13.6	12.4	8.7	7.4
1954-----	219	13.6	13.5	8.1	8.1
1955-----	169	13.1	14.6	9.8	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	California (northern)	86 districts
Civil cases:		
Total cases.....	200	212
United States cases.....	103	86
Private cases.....	97	126
United States cases:		
United States plaintiff.....	63	68
Land condemnation.....	3	3
Fair Labor Standards Act.....	1	2
Other enforcement suits.....	2	3
Food and Drug Act.....	4	5
Liquor laws.....	1	2
Other forfeitures and penalties.....	3	4
Negotiable instruments.....	26	25
Other contracts.....	14	16
Other United States plaintiff.....	9	8
United States defendant.....	40	17
Enjoin Federal agencies.....	3	3
Habeas corpus.....	10	4
Tort Claims Act.....	10	4
Tax suits.....	5	4
Other United States defendant.....	12	3
Private cases:		
Federal question.....	46	31
Copyright.....		1
Employers' Liability Act.....	11	6
Fair Labor Standards Act.....		1
Habeas corpus.....	10	3
Jones Act.....	13	9
Miller Act.....	3	1
Patent.....	1	3
Other Federal question.....	7	7
Diversity of citizenship.....	34	84
Insurance.....	7	14
Other contracts.....	8	15
Real property.....	3	3
Personal injury (motor vehicle).....	6	32
Personal injury (other).....	8	15
Other diversity.....	2	5
Admiralty.....	17	11
Criminal cases (less immigration).....	79	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials com- menced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	335	268	211	57	67	38	29
1952.....	295	188	140	48	107	41	66
1953.....	323	205	138	67	118	58	60
1954.....	347	231	168	63	116	57	59
1955.....	280	184	131	53	96	36	60

Table 6—Continued

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		California (northern)	National average ¹	California (northern)	National average ¹	California (northern)	National average ¹
1951.....	7	48	39	38	28	10	11
1952.....	7	42	40	27	27	15	13
1953.....	7	46	44	29	29	17	15
1954.....	7	50	40	33	25	17	15
1955.....	7	40	41	26	26	14	15

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Total civil cases.....	340	258
United States civil cases.....	215	89
Private civil cases.....	125	169
United States plaintiff.....	74	58
Land condemnation.....	36	13
Antitrust.....		
Other enforcement suits.....	4	8
Forfeitures and penalties.....	3	4
Negotiable instruments.....	8	13
Other contracts.....	10	13
Other United States plaintiff.....	12	7
United States defendant.....	142	31
Tort Claims Act.....	15	7
Tax suits.....	11	8
Other United States defendant.....	117	16
Federal question.....	36	47
Antitrust.....	2	2
Copyright.....		2
FELA.....	10	8
Jones Act.....	13	18
Patent.....	2	5
Other Federal question.....	9	12
Diversity of citizenship.....	39	98
Insurance.....	8	10
Other contracts.....	11	20
Real property.....	2	2
Personal injury (motor vehicle).....	5	34
Personal injury (other).....	9	21
Other diversity.....	4	11
Admiralty.....	50	24

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 year	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	2,380	482	329	412	670	256	62	169
United States civil.....	1,507	196	151	206	503	238	55	158
United States plaintiff.....	515	94	77	87	53	30	20	154
United States defendant.....	992	102	74	119	450	208	35	4
Private civil.....	873	286	178	206	167	18	7	11
Federal question.....	252	119	60	51	7	6	1	8
Diversity.....	273	98	81	64	13	4	1	2
Admiralty.....	348	69	27	91	147	8	5	1

¹ This column includes 86 districts.

DISTRICT OF COLORADO

The bill provides for an increase of 1 additional district judge for the district of Colorado, increasing its judicial power from 2 to 3 judges. Since its creation, the State of Colorado had but a single Federal district judge until the second judgeship was authorized by the act of February 10, 1954.

The State of Colorado constitutes a single district. Court for the district is held at Denver, Durango, Grand Junction, Montrose, Pueblo, and Sterling. While these places are authorized as places for holding court, most of the terms of court are conducted at Denver.

The State of Colorado has experienced a sharp and rapid increase in its population which, together with an expanded economy, has resulted in an increase in the judicial business of the Federal court. Since 1941 the civil cases in the district have increased as indicated by the fact that in that year 193 were commenced, 183 terminated and 99 pending, whereas in 1955, 319 had been commenced, 405 terminated and 419 pending.

Also indicative of this increase in judicial business is the rise in pending criminal cases from 30 in 1941 to 118 in 1955. During that same period, the cases commenced and terminated increased from 141 and 158, respectively, to 384 and 387. Thus, this rise in the pending backlog of civil cases has resulted in a major delay in the disposition of the judicial business. In 1955 in cases terminated after trial in that district the median time from filing to disposition was 29.5 months as compared to a national median of 14.6 and from issue to trial was 18.3, compared to the national of 9.1. In other words, the average litigant in civil cases in that district who went to trial was compelled to wait 1½ years from the time the answer was filed until the trial itself was held.

In order to alleviate this congestion and its concomitant denial of justice to the litigant, judges from other districts and circuits were brought into the district of Colorado to assist the 2 judges then sitting there. In fact, the number of days spent by visiting judges in this district exceeded all other districts except those in the metropolitan areas. In 1954, 69 trial days were held by visiting judges and in 1955, 65 trial days were held.

Over the years the statistics for this district indicate a rising trend in the amount of litigation. While the caseload per judge in civil cases commenced in that district was 160, compared to 212 as a national average in 1955, the criminal caseload in the district for the same year was 180, compared with 104 per judge as the national average, exceeding immigration cases. In the latter instance the caseload was 75 percent heavier than the national average.

This additional judgeship has been recommended by the Judicial Conference of the United States and the Department of Justice. Attached hereto is a report on the judicial business of the district of Colorado prepared by the Administrative Office of the United States Courts.

THE JUDICIAL BUSINESS OF THE DISTRICT OF COLORADO

The flow of civil cases from 1941 to date has been as follows:

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	193	183	99	1949.....	327	291	213
1942.....	212	215	96	1950.....	458	339	332
1943.....	278	215	159	1951.....	368	349	351
1944.....	211	234	136	1952.....	361	346	366
1945.....	647	461	322	1953.....	419	363	422
1946.....	590	630	282	1954.....	365	282	505
1947.....	385	481	186	1955.....	319	405	419
1948.....	246	255	177				

The flow of criminal cases has been as follows: ¹

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	147	158	30	1949.....	270	272	39
1942.....	256	228	58	1950.....	411	359	45
1943.....	315	289	84	1951.....	375	348	56
1944.....	495	423	156	1952.....	453	379	100
1945.....	352	353	155	1953.....	389	367	109
1946.....	234	293	96	1954.....	448	387	137
1947.....	307	327	68	1955.....	384	387	118
1948.....	313	299	51				

¹ Transferred cases are not included.

During the first quarter of the fiscal year ending September 30, 1955, there were 92 civil cases commenced in the district and 116 were terminated leaving 395 pending civil cases compared with 506 pending 1 year earlier. The 92 civil cases commenced are an increase from the 81 in the first quarter last year. In a comparison of the criminal cases for the same 2 periods there were 97 this year compared with 99 last year and the pending cases at the end of the first quarter of 1956 were 119 compared with 146 at the same time last year.

The heavy caseloads of recent years caused the Judicial Council of the Tenth Circuit and the Judicial Conference of the United States to recommend the additional judgeship which was created in 1954.

In the meanwhile the pending backlog of civil cases had increased to a point where there has been a real denial of justice in some cases as a result of delay.

The median times from issue to trial and filing to disposition since 1951 are shown by the following figures:

Year	Cases ter- minated after trial	Median from filing to dispo- sition		Median from issue to trial	
		Colorado	National median	Colorado	Median
1951.....	28	16.8	12.2	11.2	7.3
1952.....	39	15.0	12.1	11.0	7.0
1953.....	38	18.6	12.4	11.1	7.4
1954.....	21	¹ 23.0	13.5	¹ 13.7	8.1
1955.....	54	29.5	14.6	18.3	9.1

¹ Combined figure for 1953 and 1954.

This gives a picture of the business of the district and indicates that the average litigant who went to trial in a civil case in 1955 waited a year and a half from the time answer was filed before getting to trial. This is the worst docket condition which the district has faced and indicates the necessity for relief.

To combat this situation Judge Phillips has brought in a steady stream of visiting judges from the circuit to sit in Colorado. It is safe to say that during the past few years, the number of days spent by visiting judges in the district of Colorado has exceeded that in any other district in the United States, except in metropolitan courts with many more judges.

The visiting judges who have sat in the district since the beginning of the fiscal year 1952 include Judges Ritter and Christenson, of Utah; Rice, Savage, Chandler, Wallace, and Vaught, of Oklahoma; Hill and Mellott, of Kansas; Kennedy, of Wyoming; and Rogers, of New Mexico. Out of 348 trials during the fiscal years 1952-55, 191 or 55-percent were conducted by visiting judges. For 1954 and 1955 the trials and trial days were as follows:

Total number of trials and trial days, pretrials and pretrial days for the visiting judges in the District of Colorado, fiscal years 1954 and 1955

Judge	Total number of trials	Total number of trial days	Total number of pretrials	Total number of pretrial days
1954				
Hill.....	6	8		
Ritter.....	12	11		
Savage.....	9	16		
Rice.....	11	17		
Chandler.....	7	9		
Wallace.....	6	8		
Total.....	51	69		
1955				
Savage.....	4	7	1	1
Christenson.....	24	41	35	11
Rogers.....	3	4		
Murrah.....	8	5	2	2
Chandler.....	7	3		
Total.....	46	60	38	14

The use of visiting judges is a highly commendable and valuable methods of employing available judge power in the circuit and it has had its finest exemplification in the 10th circuit. However, it is primarily a temporary expedient for use in meeting an emergency. The judge power in a particular district should be sufficient to meet the normal needs of the district.

For the last 10 years the number of trials in the district has been as follows:

Fiscal year	Total trials	Civil trials	Criminal trials	Fiscal year	Total trials	Civil trials	Criminal trials
1946.....	51	36	15	1951.....	70	34	36
1947.....	24	14	10	1952.....	85	39	46
1948.....	37	15	22	1953.....	65	36	29
1949.....	38	27	11	1954.....	85	28	57
1950.....	43	16	27	1955.....	111	59	52

While the figures have fluctuated from year to year the strong increasing trend is unmistakable. Although the caseload per judge of civil cases commenced is now below the national average, 160 compared to 212 to 1955, the criminal caseload was 75 percent heavier than the national average, 180 compared with 104 in 1955, if immigration cases are excluded.

At a special session in March 1955 the Judicial Conference of the United States recommended the creation of an additional judgeship for this district.

Statistical tables for the district are attached.

DISTRICT OF COLORADO

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES							
Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	193	183	99	1949.....	327	291	213
1942.....	212	215	96	1950.....	458	339	332
1943.....	278	215	159	1951.....	368	349	351
1944.....	211	234	136	1952.....	361	346	366
1945.....	647	461	322	1953.....	419	363	422
1946.....	590	630	282	1954.....	365	282	505
1947.....	385	481	186	1955.....	319	405	419
1948.....	246	255	177	3 quarters of 1956..	263	351	331

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	70	71	50	1949.....	119	103	101
1942.....	38	56	32	1950.....	191	123	169
1943.....	43	42	33	1951.....	137	126	180
1944.....	41	42	32	1952.....	149	127	202
1945.....	39	27	44	1953.....	185	112	275
1946.....	44	46	42	1954.....	204	144	335
1947.....	87	61	68	1955.....	170	221	284
1948.....	98	81	85	3 quarters of 1956..	158	205	237

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Termi- nated	Pending June 30	Fiscal year	Commenced	Termi- nated	Pending June 30
1941.....	123	112	49	1949.....	208 (63)	188	112
1942.....	174	159	64	1950.....	267 (58)	216	163
1943.....	235 (67)	173	126	1951.....	231 (98)	223	171
1944.....	170 (48)	192	104	1952.....	212 (71)	219	164
1945.....	608 (506)	434	278	1953.....	234 (64)	251	147
1946.....	546 (390)	584	240	1954.....	161	138	170
1947.....	298 (174)	420	118	1955.....	149	184	135
1948.....	148 (16)	174	92	3 quarters of 1956..	105	146	94

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at end of each year beginning with 1941—Con.

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941-----	147	158	30	1950-----	411	359	45
1942-----	256	228	58	1951-----	375	348	56
1943-----	315	289	84	1952-----	453	379	100
1944-----	495	423	156	1953-----	389	367	109
1945-----	352	353	155	1954-----	448	387	137
1946-----	234	293	96	1955-----	384	387	118
1947-----	307	327	68	3 quarters of			
1948-----	313	299	51	1956-----	287	285	115
1949-----	270	272	39				

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judge- ships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Colorado	National average ²	Colorado	National average ²	Colorado	National average ²
1941-----	1	193	164	70	82	147	153
1942-----	1	212	168	38	77	256	161
1943-----	1	278	158	43	58	315	174
1944-----	1	211	169	41	56	495	184
1945-----	1	647	295	39	57	352	176
1946-----	1	590	321	44	70	234	142
1947-----	1	385	271	87	109	307	134
1948-----	1	246	205	98	117	313	123
1949-----	1	327	238	119	121	270	123
1950-----	1	458	222	191	113	411	116
1951-----	1	368	204	137	111	375	106
1952-----	1	361	236	149	126	451	112
1953-----	1	419	261	185	146	386	114
1954-----	2	183	210	102	127	217	103
1955-----	2	160	212	85	126	180	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—Time elapsing in civil cases tried ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Colorado	National median	Colorado	National median
1945-----	5		9.0		5.3
1946-----	25	6.9	8.9	4.1	5.0
1947-----	11		9.0		5.1
1948-----	19		9.9		5.8
1949-----	22		10.4		5.9
1950-----	16		11.2		6.7
1951-----	28	16.8	12.2	11.2	7.3
1952-----	39	15.0	12.1	11.0	7.0
1953-----	38	18.6	12.4	11.1	7.4
1954-----	21	*23.0	13.5	*13.7	8.1
1955-----	54	29.5	14.6	18.3	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk (*) on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	Colorado	86 districts
Civil cases:		
Total cases.....	160	212
United States cases.....	75	86
Private cases.....	85	126
United States cases:		
United States Plaintiff.....	62	68
Land condemnation.....	1	3
Fair Labor Standards Act.....	2	2
Other enforcement suits.....	3	3
Food and Drug Act.....	9	5
Liquor laws.....	2	2
Other forfeitures and penalties.....	7	4
Negotiable instruments.....	27	25
Other contracts.....	11	16
Other United States plaintiff.....	3	8
United States defendant.....	13	17
Enjoin Federal agencies.....	1	3
Habeas corpus.....	1	4
Tort Claims Act.....	4	4
Tax suits.....	5	4
Other United States defendant.....	3	3
Private cases:		
Federal question.....	23	31
Copyright.....	1	1
Employers' Liability Act.....	3	6
Fair Labor Standards Act.....	1	1
Habeas corpus.....	2	3
Jones Act.....	2	9
Miller Act.....	5	1
Patent.....	1	3
Other Federal question.....	12	7
Diversity of citizenship.....	62	84
Insurance.....	6	14
Other contracts.....	21	15
Real property.....	7	3
Personal injury (motor vehicle).....	15	32
Personal injury (other).....	7	15
Other diversity.....	8	5
Admiralty.....		11
Criminal cases (less immigration).....	180	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	70	34	26	8	36	5	36
1952.....	85	39	30	9	46	6	41
1953.....	65	36	27	9	29	7	23
1954.....	85	28	14	14	57	6	50
1955.....	111	59	45	14	52	6	46

Table 6—Continued

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Colorado	National average ¹	Colorado	National average ¹	Colorado	National average ¹
1951.....	1	70	39	34	28	36	11
1952.....	1	85	40	39	27	46	13
1953.....	1	65	44	36	29	29	15
1954.....	2	43	40	14	25	29	15
1955.....	2	56	41	30	26	26	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Colorado	National average
Total civil cases.....	210	258
United States civil cases.....	68	89
Private civil cases.....	142	169
United States plaintiff.....	47	58
Land condemnation.....	5	13
Antitrust.....	8	8
Other enforcement suits.....	6	4
Forfeitures and penalties.....	9	13
Negotiable instruments.....	10	13
Other contracts.....	10	7
Other United States plaintiff.....		
United States defendant.....	21	31
Tort Claims Act.....	5	7
Tax suits.....	10	8
Other United States defendant.....	6	16
Federal question.....	32	47
Antitrust.....	3	2
Copyright.....		2
FELA.....	7	8
Jones Act.....		18
Patent.....	2	5
Other Federal question.....	21	12
Diversity of citizenship.....	111	98
Insurance.....	13	10
Other contracts.....	37	20
Real property.....	7	2
Personal injury (motor vehicle).....	27	34
Personal injury (other).....	10	21
Other diversity.....	17	11
Admiralty.....		24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	419	111	78	136	52	8	6	28
United States civil.....	135	44	21	31	12	6	4	17
United States plaintiff.....	94	35	8	18	7	5	4	17
United States defendant.....	41	9	13	13	5	1		
Private civil.....	284	67	57	105	40	2	2	11
Federal question.....	63	16	10	23	10	1		3
Diversity.....	221	51	47	82	30	1	2	8
Admiralty.....								

DISTRICT OF CONNECTICUT

The bill authorizes the creation of one additional district judge for the district of Connecticut, thus increasing the number of judgeships in the district from 2 to 3.

The Judicial Code of 1911 authorized one judge for that district and a second was added in 1927. The State of Connecticut constitutes a single judicial district whose population has been recently reported as 2,251,000 with a projected population in 1965 of 2,621,000, which indicates a gain of 6.4 percent. The court for the district is held regularly at Hartford and New Haven.

The statistics on the dockets of this court indicate that over the last 15 years a steady increase has occurred. In 1941, 293 civil cases were started, 244 terminated and 229 pending. By 1950 those figures had increased to 378, 373 and 296, respectively. At the end of fiscal 1955, 638 of those cases were commenced, 510 terminated but 849 were pending, which is the greatest backlog during that 15-year period and since 1950 an increase of almost 200 percent. That tremendous increase is principally in private civil actions. This increase in private civil litigation has been attributed to a number of factors such as population increase, congestion in the dockets of the State courts and the steady rise in auto negligence cases. In addition, recent important changes in the economy of the State as reflected in greater industrialization, has added to the court's burden.

The caseload per judge for civil cases in 1955 far exceeded the national average, being 319 in comparison with 212, but in the caseload of private civil cases the judges of that district carried a burden of 202 per judge, in comparison with the national average of 126.

The Judicial Conference of the United States and the Department of Justice has recommended and approved this additional judgeship. Attached hereto is a report of the Administrative Office of the United States Courts on the judicial business of the court for that district.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF CONNECTICUT

Civil cases filed and terminated for the last 15 years and the number pending at the end of each fiscal year have been as follows:

Total civil cases

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	293	244	229	1949.....	337	324	291
1942.....	211	230	210	1950.....	378	373	296
1943.....	262	235	237	1951.....	371	312	355
1944.....	206	197	246	1952.....	563	432	486
1945.....	324	301	269	1953.....	622	473	635
1946.....	407	433	243	1954.....	499	413	721
1947.....	332	270	305	1955.....	638	510	849
1948.....	267	294	278				

It will be observed that large increases in cases filed have occurred since 1950 and the pending caseload has risen by almost 200 percent.

The principal increase has been in private cases, but there has also been a substantial rise in criminal cases since 1950. The number of United States civil, private civil, and criminal cases filed in the last 6 years has been as follows:

Fiscal year	United States civil cases (rent and price control cases in paren- theses)	Private civil	Criminal (not in- cluding transfers)	Fiscal year	United States civil cases (rent and price control cases in paren- theses)	Private civil	Criminal (not in- cluding transfers)
1950.....	240 (86)	138	93	1953.....	273 (134)	349	146
1951.....	179 (49)	192	115	1954.....	97	402	198
1952.....	308 (177)	255	94	1955.....	234	404	141

A great change in the character of the civil business of the district has taken place since before the last war when most of the civil actions were those in which the Government was a party. Two hundred and thirty-four Government cases were commenced in the fiscal year 1941 and only 59 private cases. At the end of 9 years, private cases had doubled while Government cases remained at about the same level. By 1952 private cases had doubled again and 2 years later had increased 50 percent over 1952, and Government cases had decreased sharply in number principally because of the cessation of litigation under the price and rent control regulations. The result is that while in 1941, the number of private cases filed were only 20 percent of the civil total, and cases in which the United States was a party were 80 percent, in 1955 private cases were 63 percent and Government cases were 37 percent of the civil total.

As a result of studies by the Administrative Office, it is estimated that on the average private cases take about threefold as much time of the judge per case filed, as do United States cases. Therefore, the change in the nature of the civil litigation in this district has a very direct bearing on the condition of the dockets.

Chief Judge J. Joseph Smith, of Connecticut, attributes this change to the increase in population in the district, the congestion in the State courts and the steady rise in motor-vehicle negligence cases. There is no doubt that there have been important recent changes in the economy of the State which have had an important effect on the judicial business. The population of the State has increased from 1,709,242 in 1940 to an estimated 2,219,000 on July 1, 1954. Income payments to individuals have gone from \$1,417 million in 1940 to \$4,375 million in 1952. Motor vehicle registrations have gone up from 494,000 in 1940 to 782,000 in 1952. Roads have been greatly improved and superhighways have been built.

The increase since 1950 in certain types of private cases is shown by the following table:

Federal question and diversity cases filed in Connecticut

	Fiscal year					
	1950	1951	1952	1953	1954	1955
Federal question.....	39	34	62	52	72	55
Diversity.....	94	148	186	293	324	343
Contracts.....	35	43	39	44	57	73
Personal injury, motor vehicle.....	34	63	102	193	171	164
Personal injury, other.....	12	28	32	41	65	86
All other diversity.....	13	14	13	15	31	20
Diversity cases removed from State courts.....	21	44	21	26	46	52

The result of the increase in private cases has been some congestion of the civil dockets as is shown by the increase in the time for getting to trial and for disposing of cases as set forth in table 4 attached.

The caseload per judge of civil cases in 1955 was 319 compared with the national average of 212, but the case load of private civil cases per judge was 202 compared with the national average of 126. This is the most important single item in assessing the workload of district judges.

Of the 33 two-judge districts in the country only 5, the eastern district of South Carolina, the eastern district of Louisiana, the eastern and western districts of Texas, and the eastern district of Tennessee, had a higher private civil caseload per judge in 1955 than Connecticut and of the 8 three-judge districts there were only 2, the northern district of Texas and the western district of Missouri, which were higher.

The civil and criminal cases filed and terminated and the number pending at the end of the first quarter of the fiscal years 1955 and 1956 is as follows:

	Filed	Terminated	Pending Sept. 30
Total civil:			
1st quarter 1955.....	137	90	768
1st quarter 1956.....	169	126	892
Private civil:			
1st quarter 1955.....	115	53	535
1st quarter 1956.....	95	54	587
Criminal:			
1st quarter 1955.....	34	37	55
1st quarter 1956.....	25	24	26

At a special session of the Judicial Conference of the United States called by the Chief Justice in March 1955 a recommendation of the Judicial Council of the Second Circuit for legislation to create an additional district judgeship for Connecticut was approved.

Statistical tables concerning the business of the district in the last 15 years are attached.

DISTRICT OF CONNECTICUT

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	293	244	229	1949.....	337	324	291
1942.....	211	230	210	1950.....	378	373	296
1943.....	262	235	237	1951.....	371	312	355
1944.....	206	197	246	1952.....	563	432	486
1945.....	324	301	269	1953.....	622	473	635
1946.....	407	433	243	1954.....	499	413	721
1947.....	332	270	305	1955.....	638	510	849
1948.....	267	294	278	3 quarters of 1956..	483	422	910

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	59	70	89	1949.....	135	117	141
1942.....	50	67	72	1950.....	138	140	139
1943.....	45	53	64	1951.....	192	146	185
1944.....	60	43	81	1952.....	255	174	266
1945.....	75	59	97	1953.....	349	257	358
1946.....	83	82	98	1954.....	402	287	473
1947.....	121	97	122	1955.....	404	331	546
1948.....	100	99	123	3 quarters of 1956..	259	214	591

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Termi- nated	Pending June 30	Fiscal year	Commenced	Termi- nated	Pending June 30
1941.....	234	174	140	1950.....	240 (86)	233	157
1942.....	161	163	138	1951.....	179 (49)	166	170
1943.....	217 (16)	182	173	1952.....	308 (177)	258	220
1944.....	146 (18)	154	165	1953.....	273 (134)	216	277
1945.....	249 (136)	242	172	1954.....	97	126	248
1946.....	324 (211)	351	145	1955.....	234	179	303
1947.....	211 (107)	173	183	3 quarters of 1956..	224	208	319
1948.....	167 (41)	195	155				
1949.....	202 (57)	207	150				

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941—Con.

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com- menced	Termi- nated	Pending, June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	134	131	22	1949.....	124	135	27
1942.....	146	151	17	1950.....	93	121	6
1943.....	276	247	46	1951.....	115	106	24
1944.....	320	337	29	1952.....	94	102	17
1945.....	265	252	42	1953.....	146	136	29
1946.....	138	140	40	1954.....	198	173	50
1947.....	111	127	29	1955.....	141	184	23
1948.....	118	111	37	3 quarters of 1956..	98	99	24

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judge- ships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Connecti- cut	National average ²	Connecti- cut	National average ²	Connecti- cut	National average ²
1941.....	2	147	164	30	82	67	153
1942.....	2	106	168	25	77	73	161
1943.....	2	131	158	23	58	138	174
1944.....	2	103	169	30	56	160	184
1945.....	2	162	295	38	57	133	176
1946.....	2	204	321	42	70	69	142
1947.....	2	166	271	61	109	54	134
1948.....	2	134	205	50	117	59	123
1949.....	2	169	238	68	121	62	123
1950.....	2	189	222	69	113	47	116
1951.....	2	186	204	96	111	58	106
1952.....	2	282	236	128	126	47	112
1953.....	2	311	261	175	146	73	114
1954.....	2	250	210	201	127	96	103
1955.....	2	319	212	202	126	66	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—Time elapsing in civil cases tried ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Connecti- cut	National median	Connecti- cut	National median
1945.....	16	-----	9.0	-----	5.3
1946.....	23	-----	8.9	-----	5.0
1947.....	19	-----	9.0	-----	5.1
1948.....	22	-----	9.9	-----	5.8
1949.....	43	9.6	10.4	5.5	5.9
1950.....	40	11.0	11.2	5.2	6.7
1951.....	43	8.9	12.2	4.7	7.3
1952.....	37	7.8	12.1	5.5	7.0
1953.....	72	9.6	12.4	6.4	7.4
1954.....	46	11.2	13.5	7.6	8.1
1955.....	53	18.8	14.6	12.0	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk (*) on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	Connecticut	86 districts
Civil cases:		
Total cases.....	319	212
United States cases.....	117	86
Private cases.....	202	126
United States cases:		
United States plaintiff.....	100	68
Land condemnation.....	3	3
Fair Labor Standards Act.....	3	2
Other enforcement suits.....	8	3
Food and Drug Act.....	5	5
Liquor laws.....	1	2
Other forfeitures and penalties.....		4
Negotiable instruments.....	102	25
Other contracts.....	14	16
Other United States plaintiff.....	16	8
United States defendant.....	17	17
Enjoin Federal agencies.....	2	3
Habeas corpus.....	2	4
Tort Claims Act.....	8	4
Tax suits.....	4	4
Other United States defendant.....	2	3
Private cases:		
Federal question.....	28	31
Copyright.....	2	1
Employers' Liability Act.....	7	6
Fair Labor Standards Act.....		1
Habeas corpus.....	8	3
Jones Act.....		9
Miller Act.....	1	1
Patent.....	2	3
Other Federal question.....	10	7
Diversity of citizenship.....	172	84
Insurance.....	12	14
Other contracts.....	25	15
Real property.....	2	3
Personal injury (motor vehicle).....	82	32
Personal injury (other).....	43	15
Other diversity.....	8	5
Admiralty.....	3	11
Criminal cases (less immigration).....	66	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	45	38	18	20	7	3	4
1952.....	64	41	22	19	23	10	13
1953.....	91	84	40	44	7	4	3
1954.....	60	44	22	22	16	7	9
1955.....	80	69	28	41	11	6	5

Table 6—Continued

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Connecticut	National average ¹	Connecticut	National average ¹	Connecticut	National average ¹
1951.....	2	23	39	19	28	4	11
1952.....	2	32	40	21	27	12	13
1953.....	2	46	44	42	29	4	15
1954.....	2	30	40	22	25	8	15
1955.....	2	40	41	35	26	6	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Connecticut	National average
Total civil cases.....	425	258
United States civil cases.....	152	89
Private civil cases.....	273	169
United States plaintiff.....	117	58
Land condemnation.....	9	13
Antitrust.....	1	—
Other enforcement suits.....	22	8
Forfeitures and penalties.....	2	4
Negotiable instruments.....	54	13
Other contracts.....	22	13
Other United States plaintiff.....	10	7
United States defendant.....	35	31
Tort Claims Act.....	18	7
Tax suits.....	13	8
Other United States defendant.....	4	16
Federal question.....	39	47
Antitrust.....	1	2
Copyright.....	3	2
FELA.....	10	8
Jones Act.....	2	18
Patent.....	8	5
Other Federal question.....	16	12
Diversity of citizenship.....	230	98
Insurance.....	18	10
Other contracts.....	34	20
Real property.....	—	2
Personal injury (motor vehicle).....	106	34
Personal injury (other).....	56	21
Other diversity.....	17	11
Admiralty.....	5	24

Table 7.—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases	849	282	197	182	102	33	24	29
United States civil	303	129	48	39	47	13	9	18
United States plaintiff	234	117	33	19	34	10	6	15
United States defendant	69	12	15	20	13	3	3	3
Private civil	546	153	149	143	55	20	15	11
Federal question	78	14	15	29	12	3	2	3
Diversity	459	36	132	114	42	16	12	7
Admiralty	9	3	2	-----	1	1	1	1

NORTHERN AND SOUTHERN DISTRICTS OF IOWA

The bill will provide one new roving judge for the northern and southern districts of Iowa.

The State of Iowa was divided into two judicial districts by the act of July 20, 1882 (22 Stat. 172). That act provided for one judge for the northern district and one judge for the southern district. The number of judgeships thereafter remained the same except for the act of January 19, 1928 (45 Stat. 52) which provided for the appointment of one additional district judge for the southern district with the proviso that the first vacancy occurring in the existing judgeship should not be filled. That temporary judgeship expired in 1931.

The effect of the proposed legislation, then, is to provide the entire State with an additional judge who will be able to serve in both the northern and southern districts. The northern district is comprised of four divisions, the Cedar Rapids, the eastern, the western, and the central. The court is authorized to sit at six different places throughout the district. The southern district is comprised of six divisions, the central, which sits at Des Moines, the eastern, which sits at Keokuk, the western, which sits at Council Bluffs, the southern, which sits at Creston, the Davenport, which sits at Davenport, and the Ottumwa, which sits at Ottumwa.

The population of the State has recently been reported to be 2,640,000, with a projected 1965 population of 2,784,000.

During normal times the civil caseload in both of the districts has been below the national average but during the past two fiscal years in the southern district the caseload has exceeded the national average. In 1953, 275 cases were commenced in the southern district in comparison with 261 nationally. But in 1954, 266 cases were commenced against the national average of 210 per judgeship.

In neither of the districts is there a large background of pending civil cases. However, it appears that in disposing of cases, while the total disposition is high, nevertheless the median time interval from filing to disposition of civil cases terminated after a trial does exceed the national average.

A study and analysis of the dockets in both the southern and northern districts indicate that since 1941 there has been a steady

trend toward an increased amount of business in the total of both civil and private civil cases. The criminal dockets have remained fairly constant. It appears, however, that the future condition of the dockets in both districts will continue to increase and in spite of a high volume and rapid rate of disposition, these districts will suffer from congestion in the near future. The explanation, perhaps, lies in the fact that these two judges now assigned must travel extensively and labor under the disadvantage of the distances between the various places of holding court. Thus, this required travel oftentimes contributes to the delay in the disposition of cases. Such travel, of course, is mainly for the convenience of the litigants and thus cannot be eliminated.

Therefore, in consideration of all these factors and in anticipation of congestion in the court's business in the near future, this additional roving judge should be created so as to assist whenever and wherever his presence is needed.

The Judicial Conference of the United States and the Department of Justice have both recommended the creation of this roving judge for the northern and southern districts of Iowa. Attached hereto is a memorandum of the Administrative Office of the United States Courts relative to the judicial business in both the northern and southern districts of Iowa.

NORTHERN DISTRICT OF IOWA

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES							
Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	102	93	21	1949.....	129	131	48
1942.....	81	78	24	1950.....	136	137	47
1943.....	103	108	19	1951.....	125	117	55
1944.....	130	119	30	1952.....	173	165	63
1945.....	326	292	64	1953.....	239	234	68
1946.....	513	472	105	1954.....	185	181	72
1947.....	223	275	53	1955.....	169	165	76
1948.....	113	116	50	3 quarters of 1956..	152	110	118

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	42	32	13	1949.....	56	75	25
1942.....	40	37	16	1950.....	75	73	27
1943.....	25	32	9	1951.....	77	62	42
1944.....	14	14	9	1952.....	86	81	47
1945.....	23	11	21	1953.....	92	96	43
1946.....	36	32	25	1954.....	74	80	37
1947.....	57	48	34	1955.....	90	71	56
1948.....	64	54	44	3 quarters of 1956..	82	62	76

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	60	61	8	1950.....	61 (12)	64	20
1942.....	41	41	8	1951.....	48 (7)	55	13
1943.....	78 (46)	76	10	1952.....	87 (13)	84	16
1944.....	116 (73)	105	21	1953.....	147 (15)	138	25
1945.....	303 (240)	281	43	1954.....	111	101	35
1946.....	477 (419)	440	80	1955.....	79	94	20
1947.....	166 (113)	227	19	Three-quarters of 1956.....	70	48	42
1948.....	49 (10)	62	6				
1949.....	73 (21)	56	23				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending, June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	71	69	7	1949.....	56	54	4
1942.....	97	73	31	1950.....	75	73	7
1943.....	84	92	23	1951.....	50	49	6
1944.....	74	78	19	1952.....	71	60	13
1945.....	101	87	33	1953.....	58	64	7
1946.....	80	87	26	1954.....	98	80	22
1947.....	92	106	11	1955.....	87	89	18
1948.....	66	74	5	3 quarters of 1956.....	69	55	20

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Iowa (northern)	National average ²	Iowa (northern)	National average ²	Iowa (northern)	National average ²
1941.....	1	102	164	42	82	71	153
1942.....	1	81	168	40	77	97	161
1943.....	1	103	158	25	58	84	174
1944.....	1	130	169	14	56	74	184
1945.....	1	326	295	23	57	101	176
1946.....	1	513	321	36	70	80	142
1947.....	1	223	271	57	109	92	134
1948.....	1	113	205	64	117	66	123
1949.....	1	129	238	56	121	56	123
1950.....	1	136	222	75	113	75	116
1951.....	1	125	204	77	111	50	106
1952.....	1	173	236	86	126	71	112
1953.....	1	239	261	92	146	58	114
1954.....	1	185	210	74	127	97	103
1955.....	1	169	212	90	126	87	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—Time elapsing in civil cases tried ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Iowa (northern)	National median	Iowa (northern)	National median
1945.....	8		9.0		5.3
1946.....	20		8.9		5.0
1947.....	18		9.0		5.1
1948.....	23		9.9		5.8
1949.....	18		10.4		5.9
1950.....	30	4.9	11.2	2.9	6.7
1951.....	22		12.2		7.3
1952.....	37	5.6	12.1	3.1	7.0
1953.....	24	*6.2	12.4	*3.4	7.4
1954.....	26	7.6	13.5	5.8	8.1
1955.....	23	*7.9	14.6	*5.9	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	Iowa (northern)	86 districts
Civil cases:		
Total cases.....	169	212
United States cases.....	79	86
Private cases.....	90	126
United States cases:		
United States plaintiff.....	62	68
Land condemnation.....		3
Fair Labor Standards Act.....		2
Other enforcement suits.....	1	3
Food and Drug Act.....	22	5
Liquor laws.....		2
Other forfeitures and penalties.....	7	4
Negotiable instruments.....	21	25
Other contracts.....	5	16
Other United States plaintiff.....	6	8
United States defendant.....	17	17
Enjoin Federal agencies.....	1	3
Habeas corpus.....	7	4
Tort Claims Act.....		4
Tax suits.....	7	4
Other United States defendant.....	2	3
Private cases:		
Federal question.....	13	31
Copyright.....	1	1
Employers' Liability Act.....	1	6
Fair Labor Standards Act.....		1
Habeas corpus.....	4	3
Jones Act.....		9
Miller Act.....	2	1
Patent.....	1	3
Other Federal question.....	4	7
Diversity of citizenship.....	76	84
Insurance.....	13	14
Other contracts.....	8	15
Real property.....	6	3
Personal injury (motor vehicle).....	37	32
Personal injury (other).....	9	15
Other diversity.....	3	5
Admiralty.....	1	11
Criminal cases (less immigration).....	87	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	21	20	11	9	1	-----	1
1952.....	39	38	25	13	1	-----	1
1953.....	30	24	13	11	6	1	5
1954.....	39	32	21	11	7	-----	7
1955.....	23	19	11	8	4	-----	4

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Iowa (northern)	National average ¹	Iowa (northern)	National average ¹	Iowa (northern)	National average ¹
1951.....	1	21	39	20	28	1	11
1952.....	1	39	40	38	27	1	13
1953.....	1	30	44	24	29	6	15
1954.....	1	39	40	32	25	7	15
1955.....	1	23	41	19	26	4	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Iowa (northern)	National average
Total civil cases.....	76	258
United States civil cases.....	20	89
Private civil cases.....	56	169
United States plaintiff.....	12	58
Land condemnation.....	-----	13
Antitrust.....	1	-----
Other enforcement suits.....	-----	8
Forfeitures and penalties.....	1	4
Negotiable instruments.....	3	13
Other contracts.....	3	13
Other United States plaintiff.....	4	7
United States defendant.....	8	31
Tort Claims Act.....	-----	7
Tax suits.....	5	8
Other United States defendant.....	3	16
Federal question.....	7	47
Antitrust.....	-----	2
Copyright.....	-----	2
FELA.....	1	8
Jones Act.....	-----	18
Patent.....	1	5
Other Federal question.....	5	12
Diversity of citizenship.....	49	98
Insurance.....	10	10
Other contracts.....	10	20
Real property.....	1	2
Personal injury (motor vehicle).....	17	34
Personal injury (other).....	8	21
Other diversity.....	3	11
Admiralty.....	-----	24

Table 7.—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 year	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	76	50	15	9	2			
United States civil.....	20	9	3	8				
United States plaintiff.....	12	5		7				
United States defendant.....	8	4	3	1				
Private civil.....	56	41	12	1	2			
Federal question.....	7	6	1					
Diversity.....	49	35	11	1	2			
Admiralty.....								

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURTS FOR
THE NORTHERN AND SOUTHERN DISTRICTS OF IOWA

Except for the war and postwar years of 1945 and 1946 when a large number of price- and rent-control cases were filed, the civil caseload in the northern and southern districts has been generally below the national average. But in the southern district in the last 2 fiscal years the civil caseload has exceeded the national average. In 1953 there were 275 cases commenced in this district compared to 261 per judgeship nationally and in 1954 the figure was 266 civil cases commenced as against a national figure of 210 such cases per judgeship.

There is no large backlog of pending civil cases in either district. On December 31, 1954, there were 69 civil cases pending in the northern district, and 156 in the southern district. During the year ending on June 30, 1954, the judge in the northern district disposed of 181 civil cases and the judge in the southern district, 285 civil cases. In the southern district the median time interval from filing to disposition of civil cases terminated after trial during the fiscal years 1953 and 1954 was 13.1 months and from issue to trial it was 8.9 months. This compares with the national medians for 1954 of 13.5 months and 8.1 months respectively.

In the eighth circuit the population per district judgeship on the basis of the 1950 census and the present number of judgeships is approximately 670,000 compared with a population per judgeship in the State of Iowa of 1,300,000. The number of judgeships and the population for each district in the circuit is as follows:

District	Number of judgeships	Population, 1950 census
Total, eighth circuit.....	21.0	14, 065, 606
Arkansas, eastern.....	1.5	1, 188, 611
Arkansas, western.....	1.5	720, 900
Iowa, northern.....	1.0	1, 298, 626
Iowa, southern.....	1.0	1, 322, 447
Minnesota.....	4.0	2, 982, 483
Missouri, eastern.....	3.0	2, 143, 218
Missouri, western.....	3.0	1, 811, 435
Nebraska.....	2.0	1, 325, 510
North Dakota.....	2.0	619, 636
South Dakota.....	2.0	652, 740

It will be observed that in the 3 other 2-judge States in the circuit the population is far below that in Iowa. The following table gives the population for all two-judge districts in the United States. It will be seen that the two districts in Iowa taken together rank ahead of all of these in population per judgeship.

<i>District</i>	<i>Population, 1950 Census</i>	<i>District</i>	<i>Population, 1950 Census</i>
Iowa, northern and southern	2, 621, 073	Illinois, eastern	1, 343, 225
Connecticut	2, 007, 280	Illinois, southern	1, 647, 659
New York, northern	2, 418, 585	Indiana, northern	1, 592, 794
New York, western	2, 341, 042	Indiana, southern	2, 341, 430
Maryland	2, 343, 001	Wisconsin, eastern	2, 047, 030
South Carolina, eastern	1, 214, 463	Nebraska	1, 325, 510
Virginia, western	1, 427, 460	North Dakota	619, 636
Alabama, northern	1, 733, 469	South Dakota	652, 740
Georgia, northern	1, 478, 421	Arizona	749, 587
Georgia, middle	1, 190, 791	Idaho	588, 637
Louisiana, eastern	1, 339, 822	Montana	591, 024
Louisiana, western	1, 343, 694	Nevada	160, 083
Texas, eastern	1, 307, 282	Hawaii	499, 794
Texas, western	1, 865, 399	Colorado	1, 325, 089
Michigan, western	1, 545, 221	Kansas	1, 905, 299
Tennessee, eastern	1, 410, 825	New Mexico	681, 187
Tennessee, middle	896, 173	Utah	688, 862

The following States have a population smaller than the State of Iowa, but more district judgeships:

<i>District</i>	<i>Number of judgeships</i>	<i>Population, 1950 census</i>
Delaware	3	318, 085
West Virginia	3	2, 005, 552
South Carolina	3	2, 117, 024
Arkansas	3	1, 909, 511
Oklahoma	5	2, 233, 351
Washington	4	2, 378, 963
Oregon	3	1, 521, 341

Although population figures are not the most reliable basis on which to calculate the amount of judicial business in the Federal courts, population is a factor of some significance in that connection.

The judges in both districts labor under the disadvantage of distance between places of holding court. In the northern district the statute provides for terms of the court at Cedar Rapids, Dubuque, Waterloo, Sioux City, Fort Dodge, and Mason City, and in the southern district at Des Moines, Keokuk, Council Bluffs, Creston, Davenport, and Ottumwa. There are 6 places of holding court in each district and the rules of court provide generally for 2 terms at each place. It is approximately 300 miles from Dubuque to Sioux City in the northern district and an equal distance from Davenport to Council Bluffs in the southern district and each judge must make at least 2 swings through his district each year to handle just the regular business which arises. Exhibit 1 attached shows the number of places visited each month by these judges during the fiscal year 1954 together with the number of trials and pretrial conferences held at each. This exhibit does not show the amount of routine business transacted at each point, but it does testify to the amount of travel undertaken.

There can be little doubt that, because the judges cannot be everywhere at once, trials are sometimes delayed. This together with the burden upon the judges themselves of long trips away from home and

of a slowly, but every increasing caseload, prompted the Judicial Conference of the United States at its regular annual meeting in September 1953 to recommend an additional judicial position for the State of Iowa to serve both districts and to renew the recommendation in 1954.

The number of civil and criminal cases commenced and terminated during the first half of the fiscal year 1955 compared with the same period in 1954 in the northern district is as follows:

	Pending, beginning first half	Com- menced	Termi- nated	Pending, end of first half
Total civil cases:				
1st half 1954.....	68	104	76	96
1st half 1955.....	72	83	86	69
Private civil cases:				
1st half 1954.....	43	51	40	54
1st half 1955.....	37	39	42	34
Criminal cases:				
1st half 1954.....	7	55	48	11
1st half 1955.....	22	45	53	14

The same comparison for the southern district is as follows:

	Pending, beginning first half	Com- menced	Termi- nated	Pending, end of first half
Total civil cases:				
1st half 1954.....	196	117	138	175
1st half 1955.....	177	127	148	156
Private civil cases:				
1st half 1954.....	114	64	66	112
1st half 1955.....	96	76	68	104
Criminal cases:				
1st half 1954.....	19	32	37	13
1st half 1955.....	4	37	30	8

Complete statistical tables concerning the civil and criminal business of both the northern and southern district of Iowa for the last 14 fiscal years are attached.

EXHIBIT I.—*Number of trials and pretrials commenced in Iowa, by place of holding court and by month, fiscal year 1954*

NORTHERN DISTRICT

Month	Place of holding court	Number of trials	Number of pretrials	Month	Place of holding court	Number of trials	Number of pretrials
July	Fort Dodge	1		February	Sioux City	1	
	Cedar Rapids	2	6		Waterloo	1	
August	Waterloo		2	March	Sioux City	4	12
	Cedar Rapids	1			Fort Dodge		4
	Waterloo	1			Waterloo	2	
September	Sioux City		7		Dubuque		1
	Fort Dodge	1		April	Sioux City	3	1
	Cedar Rapids	2			Fort Dodge	2	1
	Waterloo	3			Cedar Rapids	1	
	Dubuque	1	5		Waterloo	1	
October	Sioux City	3		May	Fort Dodge	3	
	Fort Dodge	2			Dubuque		3
November	Sioux City		3	June	Sioux City	1	1
	Mason City	1	2		Fort Dodge	1	
	Fort Dodge		2		Mason City		3
December	do.	1	1		Dubuque	1	4
January	Cedar Rapids		4				
	Waterloo		3				

SOUTHERN DISTRICT

July	Des Moines		2	January	Des Moines	1	
August	do.	1	5		do.		6
September	do.		6	March	Davenport	4	6
	Creston	1			Des Moines		1
	Davenport	3	1	April	Keokuk	2	3
October	Des Moines		9		Council Bluffs	1	7
	Council Bluffs	2	6	May	Des Moines	6	6
	Ottumwa	2	1		Davenport	1	1
November	Des Moines	4		June	Des Moines	2	
December	do.	3	3				
	Keokuk		1				

SOUTHERN DISTRICT OF IOWA

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941	113	109	84	1949	213	185	117
1942	126	135	75	1950	225	198	144
1943	117	132	60	1951	162	182	124
1944	127	149	38	1952	217	174	167
1945	318	299	57	1953	275	246	196
1946	564	513	108	1954	266	285	177
1947	240	239	109	1955	255	246	186
1948	139	159	89	3 quarters of 1956	166	172	180

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941	55	50	38	1949	82	66	49
1942	67	63	42	1950	93	86	56
1943	29	42	29	1951	83	71	68
1944	34	44	19	1952	118	89	97
1945	26	26	19	1953	127	110	114
1946	50	34	35	1954	114	132	96
1947	62	46	51	1955	153	128	121
1948	53	71	33	3 quarters of 1956	97	96	122

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	58	59	46	1950.....	132 (59)	112	88
1942.....	59	72	33	1951.....	79 (12)	111	56
1943.....	88 (32)	90	31	1952.....	99 (14)	85	70
1944.....	93 (53)	105	19	1953.....	148 (13)	136	82
1945.....	292 (244)	273	38	1954.....	152	153	81
1946.....	514 (470)	479	73	1955.....	102	118	65
1947.....	178 (108)	193	58	3 quarters of 1956.....	69	76	58
1948.....	86 (17)	88	56				
1949.....	131 (49)	119	68				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	116	104	28	1949.....	83	88	6
1942.....	90	100	18	1950.....	82	70	20
1943.....	81	87	12	1951.....	105	108	17
1944.....	66	69	9	1952.....	85	90	10
1945.....	86	86	9	1953.....	69	61	19
1946.....	80	72	17	1954.....	58	69	4
1947.....	105	103	11	1955.....	65	59	8
1948.....	71	69	10	3 quarters of 1956.....	43	45	11

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Iowa (southern)	National average ²	Iowa (southern)	National average ²	Iowa (southern)	National average ²
1941.....	1	113	164	55	82	116	153
1942.....	1	126	168	67	77	90	161
1943.....	1	117	158	29	58	81	174
1944.....	1	127	169	34	56	66	184
1945.....	1	318	295	26	57	86	176
1946.....	1	564	321	50	70	80	142
1947.....	1	240	271	62	109	105	134
1948.....	1	139	205	53	117	71	123
1949.....	1	213	238	82	121	83	123
1950.....	1	225	222	93	113	82	116
1951.....	1	162	204	83	111	104	106
1952.....	1	217	236	118	126	85	112
1953.....	1	275	261	127	146	67	114
1954.....	1	266	210	114	127	58	103
1955.....	1	255	212	153	126	65	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried*¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Iowa (southern)	National median	Iowa (southern)	National median
1945.....	11		9.0		5.3
1946.....	18		8.9		5.0
1947.....	23		9.0		5.1
1948.....	19		9.9		5.8
1949.....	16		10.4		5.9
1950.....	22		11.2		6.7
1951.....	32	10.8	12.2	7.5	7.3
1952.....	26	10.9	12.1	6.1	7.0
1953.....	24	*12.2	12.4	*7.1	7.4
1954.....	22	*13.1	13.5	*8.9	8.1
1955.....	21	*14.0	14.6	*11.5	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—*Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955*

	Iowa (southern)	86 districts
Civil cases:		
Total cases.....	255	212
United States cases.....	102	86
Private cases.....	153	126
United States plaintiff.....	93	68
Land condemnation.....	3	3
Fair Labor Standards Act.....	1	2
Other enforcement suits.....	3	3
Food and Drug Act.....	20	5
Liquor laws.....		2
Other forfeitures and penalties.....	3	4
Negotiable instruments.....	43	25
Other contracts.....	16	16
Other United States plaintiff.....	3	8
United States defendant.....	10	17
Enjoin Federal agencies.....	2	3
Habeas corpus.....	2	4
Tort Claims Act.....	3	4
Tax suits.....	3	4
Other United States defendant.....		3
Private cases:		
Federal question.....	35	31
Copyright.....		1
Employers' Liability Act.....	5	6
Fair Labor Standards Act.....	1	1
Habeas corpus.....	13	3
Jones Act.....		9
Miller Act.....	1	1
Patent.....	3	3
Other Federal question.....	13	7
Diversity of citizenship.....	118	84
Insurance.....	7	14
Other contracts.....	21	15
Real property.....	4	3
Personal injury (motor vehicle).....	50	32
Personal injury (other).....	22	15
Other diversity.....	14	5
Admiralty.....		11
Criminal cases (less immigration).....	65	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	31	31	20	11	-----	-----	-----
1952.....	32	27	13	14	5	4	1
1953.....	25	21	13	8	4	-----	4
1954.....	33	20	6	14	13	4	9
1955.....	29	24	8	16	5	-----	5

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Iowa (southern)	National average ¹	Iowa (southern)	National average ¹	Iowa (southern)	National average ¹
1951.....	1	31	39	31	28	-----	11
1952.....	1	32	40	27	27	5	13
1953.....	1	25	44	21	29	4	15
1954.....	1	33	40	20	25	13	15
1955.....	1	29	41	24	26	5	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Iowa (southern)	National average
Total civil cases.....	186	258
United States civil cases.....	65	89
Private civil cases.....	121	169
United States plaintiff.....	54	58
Land condemnation.....	13	13
Antitrust.....	-----	-----
Other enforcement suits.....	5	8
Forfeitures and penalties.....	4	4
Negotiable instruments.....	20	13
Other contracts.....	10	13
Other United States plaintiff.....	2	7
United States defendant.....	11	31
Tort Claims Act.....	3	7
Tax suits.....	5	8
Other United States defendant.....	3	16
Federal question.....	23	47
Antitrust.....	1	2
Copyright.....	-----	2
FELA.....	6	8
Jones Act.....	-----	18
Patent.....	3	5
Other Federal question.....	13	12
Diversity of citizenship.....	98	98
Insurance.....	4	10
Other contracts.....	26	20
Real property.....	1	2
Personal injury (motor vehicle).....	40	34
Personal injury (other).....	15	21
Other diversity.....	12	11
Admiralty.....	-----	24

Table 7.—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	186	88	41	30	17	6	3	1
United States civil.....	65	27	8	12	10	4	3	1
United States plaintiff.....	54	21	7	11	8	3	3	1
United States defendant.....	11	6	1	1	2	1		
Private civil.....	121	61	33	18	7	2		
Federal question.....	23	11	7	5				
Diversity.....	98	50	26	13	7	2		
Admiralty.....								

DISTRICT OF KANSAS

The bill authorizes the creation of 1 additional district judge for the district of Kansas, increasing the number of judges there from 2 to 3.

A single judge has been authorized for the State of Kansas since its creation until October 16, 1945, when an additional temporary district judge was authorized. Shortly after the appointment was made to that position, one of the judges died and the district reverted to a one-judge district. The act of August 3, 1949, authorized one permanent additional judgeship.

The State of Kansas constitutes a single judicial district which had been divided into three divisions until the act of August 27, 1949, which abolished the divisions but authorized the court to continue its terms at the old meeting places, the first division sitting at Kansas City, Leavenworth, Salina, and Topeka, the second division at Hutchinson and Wichita and the third division at Fort Scott.

The statistics on the dockets of the court indicate a steady rise in the number of pending cases. Since 1948, the total pending civil cases have increased from 219 to 528 in 1955, and at the three-quarter mark of 1956, the figure was 563. The statistics indicate that this condition is resulting from an increase in the number of cases filed and not from inability on the part of the judges to dispose of cases as indicated in the fact that in 1941, 306 cases were terminated whereas at the three-quarter mark of 1956, 568 had been terminated. It should also be borne in mind that better than one-half of the currently pending cases are private civil cases.

While the disposition of the cases in the district has been on the increase, nevertheless there has been an increase in the median time from filing to disposition of civil cases terminated by trial. In 1954, the rate was 15.4 months compared with the national median of 13.5 and the period from issue to trial was 8.7, compared with the national of 8.1 months. These intervals are the largest for the district in the past 10-year period.

In addition to a heavy civil docket, the district has a heavier-than-average caseload of criminal cases. In 1955, the caseload per judgeship for the district was 138 compared with a national average of 104, and

the total civil cases was 368 compared to 212 as the national average, and in the private civil cases it was 163 against the national average of 126.

One factor to be considered in regard to the heavy case load is the number of habeas corpus proceedings commenced by petitioners in the Leavenworth Penitentiary. Very often such cases raise serious constitutional questions and involve the writing of long and involved opinions.

This judgeship has been recommended by the Judicial Conference of the United States and the Department of Justice. A memorandum of the judicial business of the court for the district of Kansas prepared by the Administrative Office of the United States Courts is hereby attached.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF KANSAS

Since the year 1941 the number of civil cases commenced annually in the district of Kansas has almost tripled as shown by the figures in table 1 attached hereto. For the last 7 fiscal years the total civil cases commenced and terminated each year and the number pending at the end of the year have been as follows:

Total civil cases

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1948 -----	491	581	219	1952 -----	555	505	386
1949 -----	603	530	292	1953 -----	661	584	463
1950 -----	625	557	360	1954 -----	792	665	590
1951 -----	554	578	336				

The increase in private civil cases, which on the average consume much more judicial time per case than suits to which the United States is a party, is chiefly responsible for the overall increase during the period. This is shown in the following table.

Private civil cases

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1948 -----	156	185	116	1952 -----	241	221	226
1949 -----	200	180	136	1953 -----	320	238	308
1950 -----	284	216	204	1954 -----	395	314	389
1951 -----	239	237	206				

From the steady rise in the number of pending cases as shown by these tables it is apparent that some congestion is developing from the large caseload. This is borne out by the figures on the time required to dispose of cases by trial. In the fiscal year 1954 the median time interval from filing to disposition of civil cases terminated by trial in the district of Kansas was 15.4 months compared with the national median of 13.5 months and the period from issue to trial was 8.7 months compared to the national median of 8.1 months. These intervals for the district of Kansas are the largest in the 10-year period covered by Table 3 attached.

The civil caseload of 396 cases commenced per judge in this district in the fiscal year 1954 was the sixth largest of the 86 districts having only Federal jurisdiction and compares with the national average of 210 such cases. The difference was largely in diversity of citizenship cases and in habeas corpus proceedings commenced by petitioners in the Leavenworth Penitentiary. These habeas corpus matters on the average do not require much time for hearing but often the decision of the constitutional questions involved and the writing of opinions are burdensome. On the other hand the diversity cases weigh heavily upon the time of the judge because a considerable proportion of these cases reach trial. During the fiscal year 1954 the number of diversity of citizenship cases commenced per judge in Kansas was 170 or over twice the national average of 81 such cases per judge.

In addition to this heavy civil caseload the district has a heavier than average load of criminal cases. Excluding the immigration cases which occur only in volume in the 5 districts touching the Mexican border and which by and large require very little time per case for disposition, the criminal caseload per judgeship of 133 cases in Kansas is considerably larger than the national average of 103 criminal cases. Although the number of criminal cases in 1954 in Kansas was considerably larger than in 1953, there has been no steady increase and the criminal caseload has remained at approximately the same high level for the last 6 years. Because of the priority which is given to the criminal dockets, they are in good condition. On June 30, 1954, there were 84 cases pending on the criminal docket, one-fifth of which involved fugitive defendants who could not be tried.

The number of civil and criminal cases commenced during the first half of the fiscal year 1955 was about the same as in the same period of the fiscal year 1954. The number of civil and criminal cases commenced and terminated during the first half of the fiscal years 1954 and 1955 and pending at the end of those periods were as follows:

Fiscal year	Commenced	Terminated	Pending at end of the 1st half
Total civil cases:			
1st half of 1954.....	379	269	573
1st half of 1955.....	381	355	616
Private civil cases:			
1st half of 1954.....	193	120	381
1st half of 1955.....	157	166	380
Criminal cases:			
1st half of 1954.....	141	78	108
1st half of 1955.....	148	133	98

While population per judge is by itself not a good criterion of the number of judges needed in a particular district, it is a factor which should be taken into consideration. Kansas with 2 district judges had a population, according to the 1950 census, of 1,905,299. The population of other States having 3 judges is as follows:

State:	Population, 1950 census	State—Continued	Population, 1950 census
Wisconsin.....	3, 434, 575	Arkansas.....	1, 909, 511
South Carolina.....	2, 117, 027	Oregon.....	1, 521, 341
West Virginia.....	2, 005, 552	Delaware.....	318, 085

The population of Kansas was slightly less than that of 3 of the States listed and larger than that of 2 of these States. Washington with a population only slightly larger than Kansas has 4 judges and Oklahoma, also with a population slightly larger, has 5 judges. The figures for these States are as follows:

State	Number of judges	Population, 1950 census
Washington.....	4	2,378,963
Oklahoma.....	5	2,233,351

Complete statistical information concerning the judicial business of this district for the last 14 years is attached.

DISTRICT OF KANSAS

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	291	306	181	1949.....	603	530	292
1942.....	324	340	165	1950.....	625	557	360
1943.....	337	277	225	1951.....	554	578	336
1944.....	333	336	222	1952.....	555	505	386
1945.....	916	822	316	1953.....	661	584	463
1946.....	1,234	1,094	456	1954.....	792	665	590
1947.....	573	720	309	1955.....	736	798	528
1948.....	491	581	219	3 quarters of 1956..	603	568	563

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	122	164	108	1949.....	200	180	136
1942.....	113	146	75	1950.....	284	216	204
1943.....	59	64	70	1951.....	239	237	206
1944.....	54	67	57	1952.....	241	221	226
1945.....	59	63	53	1953.....	320	238	308
1946.....	115	66	102	1954.....	395	314	389
1947.....	182	139	145	1955.....	326	377	333
1948.....	156	185	116	3 quarters of 1956..	269	257	350

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	169	142	73	1950-----	341 (34)	341	156
1942-----	211	194	90	1951-----	315 (25)	341	130
1943-----	278 (18)	213	155	1952-----	314 (20)	284	160
1944-----	279 (99)	269	165	1953-----	341 (25)	346	155
1945-----	857 (673)	759	263	1954-----	397	351	211
1946-----	1,119 (922)	1,028	354	1955-----	410	421	190
1947-----	391 (212)	581	164	3 quarters of 1956-----	334	311	213
1948-----	335 (51)	396	103				
1949-----	403 (95)	350	156				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	232	228	76	1949-----	286	230	46
1942-----	176	174	78	1950-----	247	233	49
1943-----	421	367	132	1951-----	214	188	76
1944-----	244	353	23	1952-----	226	216	80
1945-----	300	273	50	1953-----	190	215	46
1946-----	261	268	43	1954-----	266	234	84
1947-----	253	255	47	1955-----	293	300	78
1948-----	159	202	5	3 quarters of 1956-----	218	213	77

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Kansas	National average ²	Kansas	National average ²	Kansas	National average ²
1941-----	1	291	164	122	82	232	153
1942-----	1	324	168	113	77	176	161
1943-----	1	337	158	59	58	421	174
1944-----	1	333	169	54	56	244	184
1945-----	1	916	295	59	57	300	176
1946-----	2	617	321	58	70	131	142
1947-----	1	573	271	182	109	253	134
1948-----	1	491	205	156	117	159	123
1949-----	1	603	238	200	121	286	123
1950-----	2	313	222	142	113	124	116
1951-----	2	277	204	120	111	107	106
1952-----	2	278	236	121	126	113	112
1953-----	2	331	261	160	146	95	114
1954-----	2	396	210	198	127	133	103
1955-----	2	368	212	163	126	138	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried*¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Kansas	National median	Kansas	National median
1945.....	65	5.4	9.0	2.8	5.3
1946.....	72	7.3	8.9	3.3	5.0
1947.....	50	6.9	9.0	3.0	5.1
1948.....	64	9.0	9.9	3.0	5.8
1949.....	59	6.0	10.4	3.3	5.9
1950.....	51	8.6	11.2	3.4	6.7
1951.....	75	9.9	12.2	4.6	7.3
1952.....	49	12.5	12.1	3.1	7.0
1953.....	62	9.6	12.4	5.0	7.4
1954.....	74	15.4	13.5	8.7	8.1
1955.....	81	15.2	14.6	8.5	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—*Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955*

	Kansas	86 districts
Civil Cases:		
Total cases.....	368	212
United States cases.....	205	86
Private cases.....	163	126
United States plaintiff.....	129	68
Land condemnation.....	9	3
Fair Labor Standards Act.....	1	2
Other enforcement suits.....	1	3
Food and Drug Act.....	14	5
Liquor laws.....	1	2
Other forfeitures and penalties.....	14	4
Negotiable instruments.....	48	25
Other contracts.....	33	16
Other United States plaintiff.....	9	8
United States defendant.....	77	17
Enjoin Federal agencies.....	7	3
Habeas corpus.....	58	4
Tort Claims Act.....	9	4
Tax suits.....	2	4
Other United States defendant.....	2	3
Private cases:		
Federal question.....	33	31
Copyright.....	1	1
Employers' Liability Act.....	2	6
Fair Labor Standards Act.....	2	1
Habeas corpus.....	14	3
Jones Act.....	1	9
Miller Act.....	2	1
Patent.....	1	3
Other Federal question.....	11	7
Diversity of citizenship.....	131	84
Insurance.....	12	14
Other contracts.....	25	15
Real property.....	11	3
Personal injury (motor vehicle).....	67	32
Personal injury (other).....	11	15
Other diversity.....	6	5
Admiralty.....		11
Criminal cases (less immigration).....	138	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	159	132	90	42	27	8	19
1952.....	132	106	85	21	26	6	20
1953.....	176	155	124	31	21	6	15
1954.....	159	141	100	41	18	3	15
1955.....	153	121	80	41	32	5	27

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Kansas	National average ¹	Kansas	National average ¹	Kansas	National average ¹
1951.....	2	80	39	66	28	14	11
1952.....	2	66	40	53	27	13	13
1953.....	2	88	44	78	29	11	15
1954.....	2	80	40	71	25	9	15
1955.....	2	77	41	61	26	16	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Kansas	National average
Total civil cases.....	264	258
United States civil cases.....	95	89
Private civil cases.....	169	169
United States plaintiff.....	73	58
Land condemnation.....	27	13
Antitrust.....	1	—
Other enforcement suits.....	2	8
Forfeitures and penalties.....	6	4
Negotiable instruments.....	15	13
Other contracts.....	20	13
Other United States plaintiff.....	5	7
United States defendant.....	22	31
Tort Claims Act.....	10	7
Tax suits.....	3	8
Other United States defendant.....	9	16
Federal question.....	14	47
Antitrust.....	1	2
Copyright.....	1	2
FELA.....	2	8
Jones Act.....	—	18
Patent.....	3	5
Other Federal question.....	8	12
Diversity of citizenship.....	155	98
Insurance.....	19	10
Other contracts.....	40	20
Real property.....	10	2
Personal injury (motor vehicle).....	64	34
Personal injury (other).....	12	21
Other diversity.....	11	11
Admiralty.....	1	24

Table 7.—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	528	204	94	144	50	25	5	6
United States civil.....	190	75	41	45	19	6	2	2
United States plaintiff.....	146	53	29	40	16	6	1	1
United States defendant.....	44	22	12	5	3	—	1	1
Private civil.....	338	129	53	99	31	19	3	4
Federal question.....	27	7	7	10	3	—	—	—
Diversity.....	310	122	46	88	28	19	3	4
Admiralty.....	1	—	—	1	—	—	—	—

EASTERN DISTRICT OF LOUISIANA

The bill provides for an increase of one additional district judge for the eastern district of Louisiana, raising the total number of judgeships from 2 to 3. A second judgeship was authorized for the eastern district of Louisiana in 1938.

The State of Louisiana is divided into two judicial districts, the eastern and the western. At the present time, two judgeships are assigned to each district, respectively.

The eastern district is composed of two divisions, the New Orleans division which holds a term at New Orleans, and the Baton Rouge division, which holds its term at Baton Rouge.

In the 83d Congress, when the Judiciary Committee held hearings on a similar bill to create additional judgeships throughout the Nation it stated in its report on the bill the following:

For instance, in the course of its hearings on executive deliberations evidence was presented to the committee regarding the situation in the eastern district of Louisiana. This evidence impressed the committee that the need for an additional judge in this district would crystallize in the immediate future, particularly in view of the fact that the recent disposition of the submerged lands off the shores of Louisiana will inevitably result in an abundance of new litigation of all types.

The recent hearings have corroborated the statement in House Report No. 1005 of the 83d Congress, 1st session.

In 1938, 344 civil cases were filed in the eastern district of Louisiana, of which 230 were private, and 114 were Government cases, and there were 261 criminal cases filed. In the year 1955, 1,063 were filed, of which 914 were private civil cases and 149 were Government cases. In the same year, 296 criminal cases had been filed. This is an increase of over 182 percent in all civil cases, yet during the same period there has been no increase in the number of judges. Even though the number of civil cases terminated has increased from 369 in 1941 to 938 in 1955, with the same number of judges, the pending case-load has increased from 373 to 1,586. Under the same standards the

caseload of pending private civil cases has increased from 309 to 1,370. The caseload of civil cases commenced per judgeship for 1955 was 532, compared to a national average of 212, and in private civil cases it was 457 compared to 126. In criminal cases the same caseload was 148 to 104. In each instance, therefore, the caseload per judgeship in this district exceeded the national average.

In the case of the time elapsing in civil cases tried in both, the median intervals in months from filing to disposition and from issue to trial, the average of the eastern district of Louisiana was greater than the national median.

The caseload per judgeship in this district is the largest nationally. A study of the statistics of the district indicate that the increase has been greatest in both admiralty and diversity of citizenship cases. Undoubtedly, the increase may be attributed to a great degree to the expansion of port facilities in the area, which resulted in the increased maritime litigation. Such litigation would also include the Jones Act cases involving personal injury to seamen as well as other admiralty cases. Another factor in the increase of private civil cases is the increase in automobile negligence cases. In Louisiana there is a State statute which permits a suit directly against the insurer of a defendant. That statute which has been recently upheld by the Supreme Court of the United States has proved a prolific source of litigation. It is evident, therefore, that this district is in urgent need of immediate relief through the addition of judicial manpower.

This judgeship has received the recommendation and approval of the Judicial Conference of the United States and of the Department of Justice. A memorandum relative to the judicial business of the court for this district prepared by the Administrative Office of the United States Courts is attached hereto.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA

In 1954 the caseload of 485 civil cases filed per judge was the second highest nationally, exceeded only by that in the southern district of Mississippi. The national average was 210 civil cases per judge. The private civil caseload of 405 cases per judge was the largest and was over 3 times the national average of 127 such cases.

For the last 3 years the civil caseload per judgeship has been in excess of 400 and the pending caseload has mounted steadily to 1,506 on June 30, 1954, of which number 1,268 were private civil cases. The pending caseload per judgeship of total civil cases and private civil cases is the largest nationally and exceeds even the pending caseloads per judgeship in the southern district of New York.

The increase in business over the past decade has been principally in the private civil litigation and more particularly in admiralty and diversity of citizenship cases. The increase in the port facilities in the city of New Orleans has brought with it increased maritime litigation and the caseload of private admiralty suits in the eastern district of Louisiana in 1954 was 110 compared to the national average of 13 such cases. Jones Act cases involving personal injury to seamen numbered 31 per judge compared with 10 per judge nationally.

Diversity of citizenship cases commenced in the eastern district of Louisiana were 243 per judge compared with the national average in 1954 of 81 per judge. Over half of these cases were suits for personal injuries arising out of an automobile accident, the exact number per judge being 133 compared to the national average of 30 such cases. The Louisiana direct action statute, permitting a suit directly against the defendant's insurer, which was recently upheld by the Supreme Court of the United States is one of the causes for this very heavy burden of accident litigation.

As a result of the increased caseloads the median time interval for the disposition of cases tried has been increasing. In the fiscal year 1954 the median interval from filing to disposition of civil cases terminated after trial was 15.9 months compared to the national median of 13.5 months and the median interval from issue to trial was 11.5 months compared to the national median of 8.1 months.

By rule the criminal dockets are given priority and for this reason the criminal dockets in this district are current.

In April 1954 the Judicial Conference of the United States recommended the creation of an additional judicial position for this district and reaffirmed that recommendation in September 1954.

The trend since that time has shown a continuation of the heavy civil caseloads. The number of total civil, private civil, and criminal cases commenced and terminated during the first half of the fiscal years 1954 and 1955 and the number pending at the end of the first half of each fiscal year is as follows:

Fiscal year	Commenced	Terminated	Pending at end of first half
Total civil:			
1st half of 1954	502	390	1,459
1st half of 1955	527	475	1,558
Private civil:			
1st half of 1954	431	330	1,191
1st half of 1955	428	361	1,335
Criminal:			
1st half of 1954	141	146	95
1st half of 1955	122	152	94

Complete statistical tables concerning the civil and criminal business of this district for the last 14 fiscal years is attached.

OMNIBUS JUDGESHIP BILL

EASTERN DISTRICT OF LOUISIANA

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	343	369	373	1949.....	724	507	1,034
1942.....	283	330	326	1950.....	621	583	1,072
1943.....	311	285	352	1951.....	611	601	1,082
1944.....	317	300	369	1952.....	816	740	1,158
1945.....	723	443	649	1953.....	953	764	1,347
1946.....	745	758	636	1954.....	970	811	1,506
1947.....	574	528	682	1955.....	1,063	983	1,586
1948.....	563	428	817	3 quarters of 1956..	897	703	1,780

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	227	263	309	1949.....	464	322	721
1942.....	172	228	253	1950.....	476	365	832
1943.....	160	158	255	1951.....	472	425	879
1944.....	131	159	227	1952.....	576	517	938
1945.....	174	156	245	1953.....	754	602	1,090
1946.....	224	191	278	1954.....	810	632	1,268
1947.....	286	203	361	1955.....	914	812	1,370
1948.....	444	226	579	3 quarters of 1956..	764	561	1,573

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Termi- nated	Pending June 30	Fiscal year	Commenced	Termi- nated	Pending June 30
1941.....	116	106	64	1950.....	145 (30)	218	240
1942.....	111	102	73	1951.....	139 (27)	176	203
1943.....	151 (36)	127	97	1952.....	240 (46)	223	220
1944.....	186 (37)	141	142	1953.....	199 (5)	162	257
1945.....	549 (293)	287	404	1954.....	160	179	238
1946.....	521 (320)	567	358	1955.....	149	171	216
1947.....	288 (130)	325	321	3 quarters of			
1948.....	119 (21)	202	238	1956.....	133	142	207
1949.....	260 (92)	185	313				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	302	323	33	1949.....	310	337	94
1942.....	345	291	87	1950.....	417	413	116
1943.....	353	376	64	1951.....	325	346	94
1944.....	437	369	132	1952.....	341	374	66
1945.....	370	354	148	1953.....	406	382	92
1946.....	325	341	132	1954.....	328	309	125
1947.....	300	272	152	1955.....	296	336	101
1948.....	284	316	121	3 quarters of 1956..	295	281	109

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Louisiana (eastern)	National average ²	Louisiana (eastern)	National average ²	Louisiana (eastern)	National average ²
1941.....	2	172	164	114	82	151	153
1942.....	2	142	168	86	77	171	161
1943.....	2	156	158	80	58	175	174
1944.....	2	159	169	66	56	216	184
1945.....	2	362	295	87	57	182	176
1946.....	2	373	321	112	70	161	142
1947.....	2	287	271	143	109	144	134
1948.....	2	282	205	222	117	138	123
1949.....	2	362	238	232	121	152	123
1950.....	2	311	222	238	113	208	116
1951.....	2	306	204	236	111	158	106
1952.....	2	408	236	288	126	170	112
1953.....	2	477	261	377	146	197	114
1954.....	2	485	210	405	127	150	103
1955.....	2	532	212	457	126	148	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried* ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Louisiana (eastern)	National median	Louisiana (eastern)	National median
1945.....	25	18.5	9.0	11.9	5.3
1946.....	21	18.4	8.9	8.4	5.0
1947.....	28	10.3	9.0	6.1	5.1
1948.....	25	13.1	9.9	9.0	5.8
1949.....	29	20.1	10.4	17.5	5.9
1950.....	27	18.6	11.2	13.5	6.7
1951.....	57	12.1	12.2	9.2	7.3
1952.....	59	14.9	12.1	7.7	7.0
1953.....	64	15.9	12.4	11.5	7.4
1954.....	71	18.3	13.5	12.7	8.1
1955.....	74	18.3	14.6		9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	Louisiana (eastern)	86 districts
Civil cases:		
Total cases.....	532	212
United States cases.....	75	86
Private cases.....	457	126
United States cases:		
United States plaintiff.....	59	68
Land Condemnation.....	1	3
Fair Labor Standards Act.....	2	2
Other enforcement suits.....	2	3
Food and Drug Act.....	5	5
Liquor laws.....	1	2
Other forfeitures and penalties.....	2	4
Negotiable instruments.....	27	25
Other contracts.....	11	16
Other United States plaintiff.....	11	8
United States defendant.....	16	17
Enjoin Federal agencies.....	3	3
Habeas corpus.....	1	4
Tort Claims Act.....	3	4
Tax suits.....	7	4
Other United States defendant.....	3	3
Private cases:		
Federal question.....	68	31
Copyright.....	3	1
Employers' Liability Act.....	4	6
Fair Labor Standards Act.....	2	1
Habeas corpus.....	3	3
Jones Act.....	43	9
Miller Act.....	2	1
Patent.....	2	3
Other Federal question.....	10	7
Diversity of citizenship.....	280	84
Insurance.....	10	14
Other contracts.....	28	15
Real property.....	13	3
Personal injury (motor vehicle).....	158	32
Personal injury (other).....	61	15
Other diversity.....	11	5
Admiralty.....	110	11
Criminal cases (less immigration).....	148	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	66	60	38	22	6	3	3
1952.....	68	57	31	26	11	4	7
1953.....	107	79	40	39	28	6	22
1954.....	105	88	49	39	17	7	10
1955.....	80	71	37	34	9	4	5

Table 6—Continued

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Louisiana (eastern)	National average ¹	Louisiana (eastern)	National average ¹	Louisiana (eastern)	National average ¹
1951.....	2	33	39	30	28	3	11
1952.....	2	34	40	29	27	6	13
1953.....	2	54	44	40	29	14	15
1954.....	2	53	40	44	25	9	15
1955.....	2	40	41	36	26	5	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Louisiana (eastern)	National average
Total civil cases.....	793	258
United States cases.....	108	89
Private cases.....	685	169
United States plaintiff.....	50	58
Land condemnation.....	6	13
Antitrust.....	1	—
Other enforcement suits.....	3	8
Forfeitures and penalties.....	4	4
Negotiable instruments.....	16	13
Other contracts.....	11	13
Other United States plaintiff.....	11	7
United States defendant.....	58	31
Tort Claims Act.....	5	7
Tax suits.....	28	8
Other United States defendant.....	26	16
Federal question.....	103	47
Antitrust.....	3	2
Copyright.....	2	2
F.E.L.A.....	4	8
Jones Act.....	66	18
Patent.....	5	5
Other Federal question.....	25	12
Diversity of citizenship.....	381	98
Insurance.....	12	10
Other contracts.....	36	20
Real property.....	12	2
Personal injury (motor vehicle).....	157	34
Personal injury (other).....	77	21
Other diversity.....	88	11
Admiralty.....	202	24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	1,586	458	294	303	196	80	56	199
United States civil.....	216	36	43	41	37	20	10	29
United States plaintiff.....	100	23	29	17	13	8	5	5
United States defendant.....	116	13	14	24	24	12	5	24
Private civil.....	1,370	422	251	262	159	60	46	170
Federal question.....	205	65	36	43	39	9	6	7
Diversity.....	762	253	145	113	65	27	20	139
Admiralty.....	403	104	70	106	55	24	20	24

DISTRICT OF MARYLAND

This bill provides for 1 additional district judge for the district of Maryland, thus increasing the number of judges from 2 to 3. The district of Maryland has had two judgeships. When a judge retired in 1953, he continued to render service to the court so that when a new judge was appointed upon a second resignation in 1955, the district has had the services of at least three judges.

The State itself consists of a single judicial district with court being held regularly at Baltimore. The statistics for this district reveal that the number of civil cases filed annually have increased approximately 40 percent during the period of 1941-52, and that in the past 3 years the increase has gone up to 50 percent over the 1952 figures. The major factor in the latest increase may be attributed to the suits instituted by the United States Government against casualty companies located in that area on surety bonds and also in connection with negotiable instruments. In the year of 1955, for instance, 1,249 civil cases were terminated many of which were disposed of either by dismissals or by default judgments. At the same time, however, the number of pending cases at the end of the fiscal year were 890, of which 341 were private civil cases. At the same time, the number of cases commenced exceeded any in the previous 4 years, even though more had been terminated than in the previous number of years. It is clear, then, that even though the three judges have been rendering full-time duty, including that of a retired judge, the terminations have not kept pace with the filings. That is clearly indicated by the figures for the first three-quarters of 1956 which indicate that even though by that time the second highest number of cases had been terminated since 1941 there were still pending 779 cases for the three-quarter period of 1956, of which 354 were private civil cases, the highest number during the entire period since 1941.

The criminal caseload for the first three-quarters of 1956 was 288 cases commenced, 252 terminated, leaving 91.

The caseload per judgeship on the basis of 2 judges far exceeds the national average in that for the district it was 471 total civil cases, 212 for national average, and in private civil cases it was 180, compared to 126, and in criminal cases 142 compared to 104.

Indicative of the judges in the district, however, is the fact that with regard to the time elapsing in civil cases tried, the district of

Maryland maintained a better record than the national average both as to the time between filing and disposition and from issue to trial.

The need for this additional judgeship, therefore, is clearly indicated when it is remembered that even though there has been a rapid rate of disposition and an increase in the volume of disposition during the past few years, this has been maintained through the services of a retired judge. In that same period, while the services of the retired judge was available, the increase in litigation filed has been mounting. Since the services of the retired judge cannot be counted upon in the future, the need for the immediate additional judgeship is evident.

The Judicial Conference of the United States and the Department of Justice have both recommended an additional judge for this district. Attached is a memorandum of the Administrative Office of the United States Courts relative to the judicial business in the district of Maryland.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

The number of civil cases filed annually in the district increased about 40 percent from 1941 to 1952, but in the last 3 years there has been an additional increase of about 50 percent over the 1952 figures principally as the result of the commencement of a large number of suits by the United States against casualty companies on surety bonds and in recent months because of a large volume of cases seeking recovery of overpayments and judgments on negotiable instruments. The number of civil cases commenced, terminated, and pending at the end of each fiscal year since 1950 is shown in the following table:

Total civil cases

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1951.....	442	541	308	1954.....	879	505	1,198
1952.....	598	506	400	1955.....	941	1,249	890
1953.....	923	499	824				

The large increase in terminations in the last year and the resulting decrease in the pending caseload has been in those suits to which the United States is a party referred to in the preceding paragraph. These have usually been disposed of either by dismissals or by default judgments. Very few have been tried. But there has also been a noticeable increase in the more time-consuming private civil cases from 229 in the prewar year of 1941 to 360 in the fiscal year 1955, and during the same period the number of private civil cases pending increased from 111 to 341. The number of private civil cases commenced, terminated, and pending at the end of each fiscal year since 1950 is as follows:

Private Civil Cases

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1951.....	278	317	213	1954.....	325	317	334
1952.....	299	246	266	1955.....	360	353	341
1953.....	327	267	326				

The increase in these cases has been a steady one and, in spite of the fact that the district during the last 2 years has enjoyed the services of three judges due to the full time duty of one retired judge, the terminations have not kept pace. Three hundred and sixty civil cases were filed in 1955 and only 353 were terminated.

On June 30, 1955, there were 890 civil cases pending in the district distributed by the nature of the action as follows:

Civil cases pending on June 30, 1955, by nature of suit

Total civil cases.....	890
United States cases.....	549
Land condemnation.....	48
Contracts:	
Negotiable instruments.....	50
Overpayments.....	40
Other (includes bond cases).....	311
Tort Claims Act.....	18
Tax suits.....	27
All other.....	55
Private cases.....	341
Patent.....	17
Antitrust.....	6
Other Federal question.....	31
Diversity of citizenship:	
Contracts.....	79
Personal injury, motor vehicle.....	98
Personal injury, other negligence.....	33
Other diversity.....	20
Admiralty.....	57

The heavy load carried by the judges of this district is illustrated by the following table showing the caseload per judgeship of cases filed in that court, compared with the national average, from 1951 to 1955:

Cases commenced per judgeship

Fiscal year	Total civil cases		Private civil cases		Criminal cases	
	Maryland	National average	Maryland	National average	Maryland	National average
1951.....	221	204	139	111	¹ 133	¹ 180
1952.....	299	236	150	126	² 120	² 112
1953.....	462	261	164	146	² 120	² 114
1954.....	440	210	163	127	² 122	² 103
1955.....	471	212	180	126	² 142	² 104

¹ Including immigration cases.

² Not including immigration cases.

It is apparent that, even discounting the large number of suits filed by the Government on bonds in recent years which are for the protection of the United States and which will result in very few trials, the caseload in Maryland has been very much above average.

In addition to the rising caseloads an important factor contributing to the workload of the court is a large number of long cases and more of them are anticipated. On June 30, 1955, there were 98 motor vehicle accident cases pending, 17 patent suits, 18 Tort Claims Act suits, 27 tax cases, and 6 private antitrust actions. Difficult and protracted trials are frequently necessary in these types of actions. A complicated patent infringement case against General Motors which will require 1 to 2 months for trial is now on the docket. A second long case between several shipping companies, involving some three and a half million dollars, estimated to require at least a month of trial time is also to be heard. These long cases seem to have become the ordinary run of business in this district.

The district of Maryland has been noted for promptness in the disposition of cases, but with the increased caseloads of the last 2 years, the time required to reach trial has been increasing. The median time interval for the disposition of civil cases tried went up from 8.8 months in 1953 to 13.1 months in 1954, but dropped a little to 12.7 months in 1955. This median for 86 districts in 1955 was 14.6 months. The median time interval from issue to trial in Maryland in 1955 was 8.3 months compared to a median of 5.6 months in 1954 and to one of 9.1 months for the 86 districts in 1955.

For the last 15 years the criminal business of the district has not varied appreciably. In 1941 there were 220 criminal cases commenced and in 1955 criminal cases numbered 286. This last figure is an increase of 34 cases over the number commenced the previous year and the criminal caseload per judgeship in Maryland in 1955 was 142 cases exclusive of immigration cases compared to the national average of 104.

In the first quarter of the fiscal year 1956 (the most recent period for which figures are available) there were 186 civil cases commenced, compared with 263 in the same period last year. However, there were 75 fewer cases terminated than were filed this year while terminations in the first quarter last year were 13 more than filings. Criminal cases filed in the first quarter of this year number 61 compared with 71 last year.

In May 1955, the Judicial Council of the Fourth Circuit recommended the creation of an additional judgeship for Maryland and this was later endorsed by the judicial conference of that circuit. In September 1955, the recommendation was also adopted by the Judicial Conference of the United States.

Complete statistical tables showing the civil and criminal business in the district for the last 15 fiscal years are attached.

FISCAL YEAR		CASES FILED		CASES TERMINATED		CASES ON DOCKET	
CIVIL	CRIMINAL	CIVIL	CRIMINAL	CIVIL	CRIMINAL	CIVIL	CRIMINAL
1941	220	220	220	220	220	220	220
1942	215	215	215	215	215	215	215
1943	210	210	210	210	210	210	210
1944	205	205	205	205	205	205	205
1945	200	200	200	200	200	200	200
1946	195	195	195	195	195	195	195
1947	190	190	190	190	190	190	190
1948	185	185	185	185	185	185	185
1949	180	180	180	180	180	180	180
1950	175	175	175	175	175	175	175
1951	170	170	170	170	170	170	170
1952	165	165	165	165	165	165	165
1953	160	160	160	160	160	160	160
1954	155	155	155	155	155	155	155
1955	150	150	150	150	150	150	150
1956	145	145	145	145	145	145	145

DISTRICT OF MARYLAND

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	428	429	173	1949.....	669	636	426
1942.....	439	430	182	1950.....	581	600	407
1943.....	431	368	245	1951.....	442	541	308
1944.....	333	308	270	1952.....	598	506	400
1945.....	444	392	322	1953.....	923	499	824
1946.....	533	485	370	1954.....	879	505	1,198
1947.....	651	551	470	1955.....	941	1,249	890
1948.....	524	601	393	3 quarters of 1956..	538	649	779

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	229	220	111	1949.....	331	306	264
1942.....	165	181	95	1950.....	323	335	252
1943.....	175	171	99	1951.....	278	317	213
1944.....	128	138	89	1952.....	299	246	266
1945.....	125	114	100	1953.....	327	267	326
1946.....	187	130	157	1954.....	325	317	334
1947.....	236	200	193	1955.....	360	353	341
1948.....	302	256	239	3 quarters of 1956..	291	278	354

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Termi- nated	Pending June 30	Fiscal year	Commenced	Termi- nated	Pending June 30
1941.....	199	209	62	1952.....	299 (73)	260	134
1942.....	274	249	87	1953.....	596 (31)	232	498
1943.....	256 (5)	197	146	1954.....	554	188	864
1944.....	205 (35)	170	181	1955.....	581	896	549
1945.....	319 (142)	278	222	3 quarters of			
1946.....	346 (137)	355	213	1956.....	247	371	425
1947.....	415 (199)	351	277	1957.....	-----	-----	-----
1948.....	222 (27)	345	154	1958.....	-----	-----	-----
1949.....	338 (37)	330	162	1959.....	-----	-----	-----
1950.....	258 (31)	265	155	1960.....	-----	-----	-----
1951.....	164 (34)	224	95				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com- menced	Termi- nated	Pending, June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	220	247	46	1949.....	260	225	48
1942.....	230	235	41	1950.....	225	237	37
1943.....	271	245	67	1951.....	266	219	66
1944.....	247	219	95	1952.....	265	225	86
1945.....	343	350	88	1953.....	244	248	83
1946.....	261	288	61	1954.....	252	253	83
1947.....	222	230	45	1955.....	286	295	58
1948.....	222	222	32	3 quarters of 1956..	288	252	91

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figures which they follow.

TABLE 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Maryland	National average ²	Maryland	National average ²	Maryland	National average ²
1941.....	2	214	164	115	82	110	153
1942.....	2	220	168	83	77	113	161
1943.....	2	216	158	88	58	131	174
1944.....	2	167	169	64	56	123	184
1945.....	2	222	295	63	57	170	176
1946.....	2	267	321	94	70	129	142
1947.....	2	326	271	118	109	109	134
1948.....	2	262	205	151	117	108	123
1949.....	2	335	238	166	121	126	123
1950.....	2	291	222	162	113	108	116
1951.....	2	221	204	139	111	127	106
1952.....	2	299	236	150	126	120	112
1953.....	2	462	261	164	146	120	114
1954.....	2	440	210	163	127	122	103
1955.....	2	471	212	180	126	142	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried* ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Maryland	National median	Maryland	National median
1945.....	34	6.5	9.0	3.4	5.3
1946.....	59	6.2	8.9	3.0	5.0
1947.....	60	6.6	9.0	3.9	5.1
1948.....	78	9.6	9.9	5.5	5.8
1949.....	86	7.5	10.4	5.1	5.9
1950.....	78	8.3	11.2	6.2	6.7
1951.....	76	8.8	12.2	4.8	7.3
1952.....	60	7.1	12.1	4.5	7.0
1953.....	73	8.8	12.4	5.5	7.4
1954.....	56	13.1	13.5	5.6	8.1
1955.....	72	12.7	14.6	8.3	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	Maryland	86 districts
Civil cases:		
Total cases.....	471	212
United States cases.....	291	86
Private cases.....	180	126
United States cases:		
United States plaintiff.....	260	68
Land condemnation.....	12	3
Fair Labor Standards Act.....	6	2
Other enforcement suits.....	2	3
Food and Drug Act.....	17	5
Liquor laws.....	1	2
Other forfeitures and penalties.....	10	4
Negotiable instruments.....	59	25
Other contracts.....	139	16
Other United States plaintiff.....	16	8
United States defendant.....	31	17
Enjoin Federal agencies.....	9	3
Habeas corpus.....	3	4
Tort Claims Act.....	8	4
Tax suits.....	9	4
Other United States defendant.....	3	3
Private cases:		
Federal question.....	32	31
Copyright.....	3	1
Employers Liability Act.....	8	6
Fair Labor Standards Act.....	1	1
Habeas corpus.....	3	3
Jones Act.....	1	9
Miller Act.....	2	1
Patent.....	8	3
Other Federal question.....	8	7
Diversity of citizenship.....	115	84
Insurance.....	4	14
Other contracts.....	37	15
Real property.....	4	3
Personal injury (motor vehicle).....	49	32
Personal injury (other).....	14	15
Other diversity.....	9	5
Admiralty.....	34	11
Criminal cases (less immigration).....	142	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	111	74	53	21	37	14	23
1952.....	112	69	44	25	43	20	23
1953.....	136	90	53	37	46	17	29
1954.....	100	50	32	18	50	21	29
1955.....	142	98	57	41	44	18	26

Table 6—Continued

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Maryland	National average ¹	Maryland	National average ¹	Maryland	National average ¹
1951.....	2	56	39	37	28	19	11
1952.....	2	56	40	35	27	22	13
1953.....	2	68	44	45	29	23	15
1954.....	2	50	40	25	25	25	15
1955.....	2	71	41	49	26	22	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Maryland	National average
Total civil cases.....	445	258
United States civil cases.....	275	89
Private civil cases.....	171	169
United States plaintiff.....	243	58
Land condemnation.....	24	13
Antitrust.....		
Other enforcement suits.....	8	8
Forfeitures and penalties.....	4	4
Negotiable instruments.....	25	13
Other contracts.....	173	13
Other United States plaintiff.....	10	7
United States defendant.....	32	31
Tort Claims Act.....	9	7
Tax suits.....	10	8
Other United States defendant.....	13	16
Federal question.....	27	47
Antitrust.....	U3	2
Copyright.....	2	2
F.E.L.A.....	6	8
Jones Act.....	1	18
Patent.....	9	5
Other Federal question.....	7	12
Diversity of citizenship.....	115	98
Insurance.....	4	10
Other contracts.....	36	20
Real property.....	3	2
Personal injury (motor vehicle).....	49	34
Personal injury (other).....	17	21
Other diversity.....	8	11
Admiralty.....	29	24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	890	333	247	177	104	13	8	8
United States civil.....	549	192	156	122	71	2	3	3
United States plaintiff.....	486	167	140	110	64	2	3	3
United States defendant.....	63	25	16	12	7			3
Private civil.....	341	141	91	55	33	11	5	5
Federal question.....	54	21	15	12	4	1		1
Diversity.....	230	97	66	34	18	9	2	4
Admiralty.....	57	23	10	9	11	1	3	

EASTERN DISTRICT OF MICHIGAN

This bill provides for one additional district judge for the eastern district of Michigan. At the present time, the eastern district of Michigan has six judges, the last of which was authorized by the Act of February 10, 1954. At the same time, the size of the eastern district was reduced by transferring five counties from that district to the western district. Likewise, at the same time 1 additional district judge was authorized for the western district, increasing the judgeships in that area to 2. Prior to 1954, the last increase in judicial manpower in the eastern district was authorized over 16 years ago, when a fifth judge was provided in the area.

Since 1950 the number of pending cases has increased without any material reduction and the time for reaching trial and for final disposition in cases tried has lengthened. The situation is clearly presented in the figures which indicate that in 1941 a total of 989 civil cases were commenced, 1,254 terminated, leaving a pending caseload of 838. In 1955, the same figures were 1,147, 1,017 and 1,159. Of those figures for 1955, more than half in each instance were the difficult private civil cases.

The caseload per judgeship, while not surpassing the national average, was very close to it in each category and the time elapsing in the cases of tried civil matters exceeded by several months the national average.

This judgeship has been recommended by the Judicial Conference of the United States and the Department of Justice. A memorandum of the judicial business of the court for the eastern district of Michigan prepared by the Administrative Office of the United States Courts is attached hereto.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MICHIGAN

The number of civil cases commenced, terminated, and pending in this district at the end of each year for the last 14 fiscal years is shown by the following table:

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	989	1,254	838	1949.....	898	915	702
1942.....	844	1,085	597	1950.....	1,470	1,062	1,110
1943.....	504	664	437	1951.....	1,250	1,337	1,023
1944.....	459	475	421	1952.....	1,370	1,174	1,219
1945.....	949	687	683	1953.....	980	1,198	1,001
1946.....	883	1,017	549	1954.....	978	950	1,029
1947.....	1,069	907	711	1955 (1st half).....	519	472	1,076
1948.....	760	752	719				

Fiscal year	Civil cases terminated after trial in Michi- gan (east- ern)	Median time intervals (in months)			
		Filing to disposition		Issue to trial	
		Michigan (eastern)	National average	Michigan (eastern)	National average
1950.....	114	11.7	11.2	7.7	6.7
1951.....	109	10.8	12.2	7.1	7.3
1952.....	99	14.2	12.1	8.9	7.0
1953.....	112	15.3	12.4	7.9	7.4
1954.....	90	16.9	13.5	10.7	8.1

In the fiscal year 1954 half of the civil cases tried had been on the docket for almost a year and 5 months before they were finally disposed of and it was taking almost 11 months to get a trial after the filing of an answer. The addition of another judge last year was made to help this condition, but the serious illness of Judge Koscinski has put the situation back where it was.

In the first 7 months of the fiscal year 1955 there were 64 civil trials commenced excluding land condemnation and forfeiture cases and half of these had been at issue over 16 months at the time the trial was commenced. Trials of personal injury cases numbered 31 and 8 of these had been at issue over a year and a half at the time of trial.

The nature of the civil business of the district is given in the following table showing the civil cases filed by nature of suit in the fiscal year 1954.

Civil cases filed in the eastern district of Michigan, by nature of suit, fiscal year 1954

Total civil cases.....	978
United States Cases:	
United States plaintiff.....	280
Fair Labor Standards Act.....	12
Other enforcement suits.....	15
Food and drug forfeitures.....	14
Liquor forfeitures.....	3
Other forfeitures and penalties.....	18
Negotiable instruments.....	173
Other contracts.....	25
Other United States plaintiff suits.....	20
United States defendant.....	87
Review, enjoin Federal agencies.....	8
Habeas corpus.....	34
Tort Claims Act.....	17
Tax suits.....	22
Other United States defendant suits.....	6
Private cases:	
Federal question.....	194
Employers' Liability Act.....	22
Fair Labor Standards Act.....	6
Habeas corpus.....	65
Jones Act.....	32
Miller Act.....	5
Patent.....	17
Other Federal question cases.....	47
Diversity of citizenship.....	405
Insurance contracts.....	42
Other contracts.....	64
Real property actions.....	6
Personal injury, motor vehicle.....	195
Personal injury, other negligence.....	67
Other diversity cases.....	31
Admiralty.....	12

The number of trials for the last 5 years has been as follows:

Fiscal year	Total trials commenced	Civil	Criminal
1950.....	149	113	36
1951.....	160	113	47
1952.....	177	112	65
1953.....	237	136	101
1954.....	161	84	77

The number of criminal cases filed, terminated, and pending at the end of each year for the last 5 years and during the first half of the fiscal year 1955 has been as follows:

Criminal cases

Fiscal year	Commenced	Terminated	Pending June 30
1950.....	692	814	184
1951.....	715	651	239
1952.....	594	583	245
1953.....	667	705	224
1954.....	581	625	197
1955 (1st half).....	310	243	274

Some of these criminal cases have resulted in long trials. For example the case of *U. S. v. Wellman*, a Smith Act case tried by Judge Frank A Picard in the fiscal year 1954, required 61 trial days.

In view of the present conditions the Judicial Conference of the United States on March 24, 1955, recommended the creation of an additional judgeship for this district.

Complete statistical tables showing the business of this court during the last 14 fiscal years are attached.

EASTERN DISTRICT OF MICHIGAN

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	989	1,254	838	1949.....	898	915	702
1942.....	844	1,085	597	1950.....	1,470	1,062	1,110
1943.....	504	664	437	1951.....	1,250	1,337	1,023
1944.....	459	475	421	1952.....	1,370	1,174	1,219
1945.....	949	687	683	1953.....	980	1,198	1,001
1946.....	883	1,017	549	1954.....	978	950	1,029
1947.....	1,069	907	711	1955.....	1,147	1,017	1,159
1948.....	760	752	719	3 quarters of 1956..	1,034	980	1,213

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	695	1,006	613	1949.....	485	545	456
1942.....	705	845	473	1950.....	503	473	486
1943.....	253	499	227	1951.....	526	479	533
1944.....	195	212	210	1952.....	560	527	566
1945.....	206	170	246	1953.....	535	508	593
1946.....	276	272	250	1954.....	611	520	684
1947.....	506	349	407	1955.....	651	616	719
1948.....	457	348	516	3 quarters of 1956..	522	483	758

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	294	248	225	1950-----	967 (285)	589	624
1942-----	139	240	124	1951-----	724 (278)	858	490
1943-----	251 (64)	165	210	1952-----	810 (452)	647	653
1944-----	264 (73)	263	211	1953-----	445 (130)	690	408
1945-----	743 (559)	517	437	1954-----	367	430	345
1946-----	607 (480)	745	299	1955-----	496	401	440
1947-----	563 (388)	558	304	3 quarters of 1956-----	512	497	455
1948-----	303 (138)	404	203				
1949-----	413 (257)	370	246				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	362	360	143	1949-----	990	887	334
1942-----	574	471	246	1950-----	692	814	184
1943-----	567	564	249	1951-----	715	651	239
1944-----	664	590	323	1952-----	594	583	245
1945-----	722	767	278	1953-----	667	705	224
1946-----	496	568	206	1954-----	581	625	197
1947-----	498	566	154	1955-----	613	556	268
1948-----	676	615	229	3 quarters of 1956-----	385	418	244

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Michigan (eastern)	National average ²	Michigan (eastern)	National average ²	Michigan (eastern)	National average ²
1941-----	5	198	164	139	82	-----	153
1942-----	5	169	168	141	77	107	161
1943-----	5	101	158	51	58	108	174
1944-----	5	92	169	39	56	124	184
1945-----	5	190	295	41	57	135	176
1946-----	5	177	321	55	70	91	142
1947-----	5	214	271	101	109	91	134
1948-----	5	152	205	91	117	125	123
1949-----	5	180	238	97	121	187	123
1950-----	5	294	222	101	113	129	116
1951-----	5	250	204	105	111	132	106
1952-----	5	274	236	112	126	111	112
1953-----	5	196	261	107	146	106	114
1954-----	6	163	210	102	127	88	103
1955-----	6	191	212	109	126	98	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried*¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Michigan (eastern)	National median	Michigan (eastern)	National median
1945.....	43	13.0	9.0	8.9	5.3
1946.....	56	8.3	8.9	5.4	5.0
1947.....	57	10.4	9.0	7.1	5.1
1948.....	79	8.8	9.9	5.9	5.8
1949.....	102	10.3	10.4	7.3	5.9
1950.....	114	11.7	11.2	7.7	6.7
1951.....	109	10.8	12.2	7.1	7.3
1952.....	99	14.2	12.1	8.9	7.0
1953.....	112	15.3	12.4	7.9	7.4
1954.....	90	16.9	13.5	10.7	8.1
1955.....	89	19.2	14.6	14.9	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—*Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955*

	Michigan (eastern)	86 districts
Civil cases:		
Total cases.....	191	212
United States cases.....	83	86
Private cases.....	109	126
United States cases:		
United States plaintiff.....	72	68
Land condemnation.....	1	3
Fair Labor Standards Act.....	2	2
Other enforcement suits.....	6	3
Food and Drug Act.....	2	5
Liquor laws.....	2	2
Other forfeitures and penalties.....	2	4
Negotiable instruments.....	34	25
Other contracts.....	20	16
Other United States plaintiff.....	3	8
United States defendant.....	11	17
Enjoin Federal agencies.....	1	3
Habeas corpus.....	6	4
Tort Claims Act.....	1	4
Tax suits.....	3	4
Other United States defendant.....	1	3
Private cases:		
Federal question.....	32	31
Copyright.....	1	1
Employers' Liability Act.....	4	6
Fair Labor Standards Act.....	1	1
Habeas corpus.....	10	3
Jones Act.....	3	9
Miller Act.....	1	1
Patent.....	3	3
Other Federal question.....	11	7
Diversity of citizenship.....	74	84
Insurance.....	7	14
Other contracts.....	20	15
Real property.....		3
Personal injury (motor vehicle).....	30	32
Personal injury (other).....	9	15
Other diversity.....	7	5
Admiralty.....	3	11
Criminal cases (less immigration).....	98	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	160	113	74	39	47	13	34
1952.....	177	112	75	37	65	32	33
1953.....	237	136	99	37	101	37	64
1954.....	161	84	47	37	77	43	34
1955.....	176	106	46	60	70	31	39

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Michigan (eastern)	National average ¹	Michigan (eastern)	National average ¹	Michigan (eastern)	National average ¹
1951.....	5	32	39	23	28	9	11
1952.....	5	35	40	22	27	13	13
1953.....	5	47	44	27	29	20	15
1954.....	6	27	40	14	25	13	15
1955.....	6	29	41	18	26	12	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Michigan (eastern)	National average
Total civil cases.....	193	258
United States civil cases.....	73	89
Private civil cases.....	120	169
United States plaintiff.....	57	58
Land condemnation.....	2	13
Antitrust.....	1	—
Other enforcement suits.....	9	8
Forfeitures and penalties.....	2	4
Negotiable instruments.....	24	13
Other contracts.....	16	13
Other United States plaintiff.....	5	7
United States defendant.....	16	31
Tort Claims Act.....	1	7
Tax suits.....	9	8
Other United States defendant.....	6	16
Federal question.....	29	47
Antitrust.....	1	2
Copyright.....	1	2
FELA.....	3	8
Jones Act.....	6	18
Patent.....	5	5
Other Federal question.....	13	12
Diversity of citizenship.....	88	98
Insurance.....	6	10
Other contracts.....	20	20
Real property.....	—	2
Personal injury (motor vehicle).....	37	34
Personal injury (other).....	14	21
Other diversity.....	11	11
Admiralty.....	3	24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	1, 159	491	244	255	101	34	18	16
United States civil.....	440	238	60	64	52	14	10	2
United States plaintiff.....	344	219	45	35	33	3	7	2
United States defendant.....	96	19	15	29	19	11	3	—
Private civil.....	719	253	184	191	49	20	8	14
Federal question.....	173	56	44	54	7	4	1	7
Diversity.....	526	188	137	133	40	16	5	7
Admiralty.....	20	9	3	4	2	—	2	—

SOUTHERN DISTRICT OF MISSISSIPPI

The bill would provide for one additional district judge for the southern district of Mississippi.

The State is divided into 2 districts, the northern and southern, and presently there is 1 judge assigned to each of the 2 districts.

The southern district is comprised of five divisions and holds court at Jackson for the Jackson division; Meridian, for the eastern division; Vicksburg, for the western division; Biloxi, for the southern division; and at Hattiesburg for the Hattiesburg division.

Under the Judicial Code of 1911, one judge served both the northern and southern districts, but in 1929 that judge was assigned to the southern district and provision was made for the appointment of an additional judge in the northern district. There has been no change in the number of judges in either of the districts since that date.

A study of the judicial business of the court in the southern district indicates that over the past several years the total number of civil cases commenced annually is on the increase. It is significant, also, that the number of private civil cases commenced has increased steadily, increasing from 151 in 1944 to 320 in 1955. During the same period of time the number of pending civil cases has been increasing. At the three-quarter mark of 1956, the total number of civil cases pending was 459, of which 313 were private civil cases. The rate of disposition has also increased, as indicated by the fact that in 1955, 506 cases were terminated as against 510 commenced. The caseload per judgeship in this district far surpassed the national average in all types of cases. For instance, in the total number of civil cases per judge for 1955, the rate was 510 in the southern district while the national average was 212; in private civil cases it was 320, compared to a national average of 126. In the matter of criminal cases, excluding immigration cases, the caseload per judge for southern Mississippi was 288, compared to the national average of 104.

The rate of disposition of tried civil cases as to the time elapsing between filing and disposition is slightly over the national average, but in the case of issue and trial, it is below the national average, the rate being 7 months and the national median being 9.1 months.

The Department of Justice and the Judicial Conference of the United States have recommended and approved this additional judgeship. There is attached a memorandum of the judicial business of the United States District Court for the Southern District of Mississippi prepared by the Administrative Office of the United States Courts.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI

During the last 11 fiscal years the total number of civil cases commenced annually in the southern district has varied considerably, but if the suits arising out of the price- and rent-control regulations of the war and postwar periods are eliminated, a steady increase in the judicial business of this district is evident. The number of private civil cases commenced has increased steadily from 151 cases in 1944 to 242 cases in 1954, a rise of 60 percent. The following table shows the total number of all civil cases and private civil cases commenced in this district during the last 11 fiscal years. The extremely heavy caseload is apparent when the 579 civil cases filed in the fiscal year 1954 are compared with the national average of 210 civil cases per judgeship and the 242 private civil cases are compared with the national average of 127 private civil cases.

Civil cases commenced in the southern district of Mississippi

Fiscal year	Total civil cases	Private civil cases	Fiscal year	Total civil cases	Private civil cases
1944-----	414	151	1950-----	318	195
1945-----	457	120	1951-----	390	229
1946-----	429	174	1952-----	383	227
1947-----	327	177	1953-----	503	246
1948-----	345	203	1954-----	579	242
1949-----	445	185			

In each of the last 11 fiscal years the civil caseload has been well above the national average and for the entire period it was about 75 percent greater. In 1954 the 579 civil cases commenced in the southern district of Mississippi gave that district the highest caseload per judge in the Nation and the private civil caseload of 242 cases was the sixth largest. An indication that this trend is continuing and even increasing is the fact that 250 civil cases were commenced in the district during the first half of the fiscal year 1955 as compared with 225 cases during the same period of the previous fiscal year. Private civil cases in the first half of the fiscal year 1955 were 164 compared with 112 for the same period in 1954.

The large increase in the total number of civil cases commenced from 383 cases in 1952 to 579 in 1954 is due almost entirely to an increase in suits by the Government on negotiable instruments and other contracts. The figure went from 22 in 1952 to 239 in 1954, an increase of 217 cases. In addition to these contract cases, the district has a large volume of tort suits. In 1954 the number of time-consuming personal-injury cases filed under the diversity jurisdiction was 144 compared to a national average of 45 per judge. There were 51 diversity contract actions compared with a national average of 28 such cases.

In addition to these civil cases the judge in the southern district of Mississippi is burdened with a heavy load of criminal work. If criminal immigration cases which are confined almost entirely to the 5 districts on the Mexican border are eliminated, the 367 criminal

cases commenced in this district in 1954 are $3\frac{1}{2}$ times the national average of 103 criminal cases per judgeship, without immigration. The criminal caseload per judge in this district in 1954 was exceeded only by that in the three districts in the State of North Carolina. Owing to the preference given criminal cases, the criminal dockets in the southern district of Mississippi are, generally speaking, in good condition.

Despite the large caseloads Judge Mize has been able to keep his civil dockets fairly current, but he has not been able to dispose of cases as fast as they are filed and some congestion is resulting. Table 3 attached, shows that in 1954 the median time interval from filing to disposition of civil cases tried during the fiscal year was 14.8 months compared to a national median of 13.5 months. However the median from issue to trial was only 5.7 months compared to the national median of 8.1 months. The number of pending civil cases has been increasing steadily from 233 cases on June 30, 1950, to 446 cases on December 31, 1954.

To meet this large caseload, judges have been assigned from other districts to assist Judge Mize. During the fiscal year 1953, visiting judges spent a total of 44 days in this district in the actual trial of cases but in 1954 they spent only 15 trial days in the district.

Complete statistical information is attached.

SOUTHERN DISTRICT OF MISSISSIPPI

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES							
Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	325	317	241	1949.....	445	371	309
1942.....	313	329	225	1950.....	318	394	233
1943.....	300	284	241	1951.....	390	313	310
1944.....	414	366	289	1952.....	383	348	345
1945.....	457	471	275	1953.....	503	483	365
1946.....	429	403	301	1954.....	579	487	457
1947.....	327	362	266	1955.....	510	506	461
1948.....	345	376	235	3 quarters of 1956..	337	339	459

PRIVATE CIVIL CASES							
Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	194	181	125	1949.....	185	179	140
1942.....	173	180	118	1950.....	195	199	136
1943.....	118	145	91	1951.....	229	189	176
1944.....	151	130	112	1952.....	227	184	219
1945.....	120	136	96	1953.....	246	275	190
1946.....	174	139	131	1954.....	242	204	228
1947.....	177	167	141	1955.....	320	239	309
1948.....	203	210	134	3 quarters of 1956..	198	194	313

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	131	136	116	1950.....	123 (4)	195	97
1942.....	140	149	107	1951.....	161 (1)	124	134
1943.....	182 (8)	139	150	1952.....	156 (18)	164	126
1944.....	263 (20)	236	177	1953.....	257 (12)	208	175
1945.....	337 (139)	335	179	1954.....	337	283	229
1946.....	255 (158)	264	170	1955.....	190	267	152
1947.....	150 (50)	195	125	3 quarters of 1956.....	139	145	146
1948.....	142 (25)	166	101				
1949.....	260 (23)	192	169				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending, June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	729	646	209	1949.....	307	278	86
1942.....	538	621	127	1950.....	281	284	81
1943.....	490	513	104	1951.....	246	272	64
1944.....	645	595	154	1952.....	339	268	135
1945.....	511	562	103	1953.....	286	333	82
1946.....	524	541	86	1954.....	367	297	156
1947.....	317	325	75	1955.....	288	321	110
1948.....	304	311	61	3 quarters of 1956.....	202	183	135

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Mississippi (southern)	National average ²	Mississippi (southern)	National average ²	Mississippi (southern)	National average ²
1941.....	1	325	164	194	82	729	153
1942.....	1	313	168	173	77	538	161
1943.....	1	300	158	118	58	490	174
1944.....	1	414	169	151	56	645	184
1945.....	1	457	295	120	57	511	176
1946.....	1	429	321	174	70	524	142
1947.....	1	327	271	177	109	317	134
1948.....	1	345	205	203	117	304	123
1949.....	1	445	238	185	121	307	123
1950.....	1	318	222	195	113	281	116
1951.....	1	390	204	220	111	246	106
1952.....	1	383	236	227	126	339	112
1953.....	1	503	261	246	146	286	114
1954.....	1	579	210	242	127	367	103
1955.....	1	510	212	320	126	288	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—Time elapsing in civil cases tried ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Mississippi (southern)	National median	Mississippi (southern)	National median
1945	26	6.8	9.0	5.2	5.3
1946	35	9.0	8.9	4.6	5.0
1947	23		9.0		5.1
1948	44	8.8	9.9	4.3	5.8
1949	35	7.6	10.4	5.1	5.9
1950	43	9.7	11.2	5.2	6.7
1951	23		12.2		7.3
1952	29	14.5	12.1	6.8	7.0
1953	48	11.4	12.4	7.3	7.4
1954	26	14.8	13.5	5.7	8.1
1955	17	*14.9	14.6	*7.0	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	Mississippi (southern)	86 districts
Civil cases:		
Total cases	510	212
United States cases	190	86
Private cases	320	126
United States cases:		
United States plaintiff	172	68
Land condemnation	5	3
Fair Labor Standards Act	2	2
Other enforcement suits		3
Food and Drug Act	5	5
Liquor laws	29	2
Other forfeitures and penalties	4	4
Negotiable instruments	78	25
Other contracts	39	16
Other United States plaintiff	10	8
United States defendant	18	17
Enjoin Federal agencies	2	3
Habeas corpus	2	4
Tort Claims Act	2	4
Tax suits	11	4
Other United States defendant	1	3
Private cases:		
Federal question	19	31
Copyright	1	1
Employers' Liability Act	1	6
Fair Labor Standards Act	1	1
Habeas corpus		3
Jones Act	3	9
Miller Act	2	1
Patent	1	3
Other Federal question	10	7
Diversity of citizenship	298	84
Insurance	26	14
Other contracts	44	15
Real property	18	3
Personal injury (motor vehicle)	137	32
Personal injury (other)	54	15
Other diversity	19	5
Admiralty	3	11
Criminal cases (less immigration)	288	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	47	37	28	9	10	1	9
1952.....	55	50	25	25	5		5
1953.....	82	71	44	27	11	1	10
1954.....	51	41	29	12	10		10
1955.....	39	26	17	9	13	2	11

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Mississippi (southern)	National average ¹	Mississippi (southern)	National average ¹	Mississippi (southern)	National average ¹
1951.....	1	47	39	37	28	10	11
1952.....	1	55	40	50	27	5	13
1953.....	1	82	44	71	29	11	15
1954.....	1	51	40	41	25	10	15
1955.....	1	39	41	26	26	13	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Mississippi (southern)	National average
Total civil cases.....	461	258
United States civil cases.....	152	89
Private civil cases.....	309	169
United States plaintiff.....	118	58
Land condemnation.....	9	13
Antitrust.....	7	8
Other enforcement suits.....	7	4
Forfeitures and penalties.....	22	13
Negotiable instruments.....	34	13
Other contracts.....	35	13
Other United States plaintiff.....	11	7
United States defendant.....	34	31
Tort Claims Act.....	4	7
Tax suits.....	26	8
Other United States defendant.....	4	16
Federal question.....	27	47
Antitrust.....	3	2
Copyright.....	1	2
FELA.....		8
Jones Act.....	3	18
Patent.....	3	5
Other Federal question.....	17	12
Diversity of citizenship.....	280	98
Insurance.....	24	10
Other contracts.....	59	20
Real property.....	15	2
Personal injury (motor vehicle).....	95	34
Personal injury (other).....	48	21
Other diversity.....	39	11
Admiralty.....	2	24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	461	184	88	103	50	10	7	19
United States Civil.....	152	54	19	42	29	2	1	5
United States Plaintiff.....	118	47	14	31	18	2	1	5
United States Defendant.....	34	7	5	11	11	—	—	—
Private civil.....	309	130	69	61	21	8	6	14
Federal question.....	27	6	7	4	—	—	1	5
Diversity.....	280	123	62	57	17	8	5	8
Admiralty.....	2	1	—	—	—	—	—	1

SOUTHERN DISTRICT OF NEW YORK

The bill provides for the appointment of 3 additional district judges for the southern district of New York, thus increasing the number of judges there from 18 to 21. In 1949, 4 additional judgeships were authorized for this district and in 1954, 2 more judgeships were added. Nevertheless, this district has continued to have one of the most congested dockets of any district court in the Federal system.

The southern district of New York is composed of 11 counties, 2 of which, namely the Bronx and New York, are part of the city of New York. The entire State itself is divided into four judicial districts, the northern, southern, eastern and the western. There are 2 judges assigned to the northern district, 2 to the western and, at present, 6 to the eastern.

In the fiscal year of 1955, a total of 4,552 civil cases were commenced, 5,177 terminated, leaving a pending figure of 10,334. Of these, 8,463 were private civil cases. During the same year, the court disposed of 5,177. In criminal cases for 1955, 999 were started, 1,266 were terminated, so that 697 were pending at the close of the fiscal year.

The caseload per judge for the total civil cases in that district for 1955 was 251, compared to the national average of 212. In private civil cases, it was 197 compared to the national average of 126. In the matter of criminal cases, however, the caseload per judge in this district was far below the national average of 104, the district rate being 52 per judge.

For many years now in the matter of civil cases tried, the rate of disposition as to the time element has far surpassed the national average. For instance, in 1953 the median interval in months from filing to disposition in this district was 47.3 against the national average of 12.4. The following year it was 45 compared to the national median of 13.5 months and in 1955 it was 45.9, compared to 14.6. This same ratio appears in the case of the interval from issue to trial. In 1953, the district's figure was 37.2 months against the national figure of 7.4 months. In 1954 it was 35.9 months against 8.1 as the national median and for 1955 it stood at 34.8 months, compared to the national median of 9.1. The work of this court has also suffered because of the type and nature of the cases which have come before it. Over the past several years many long and difficult cases have taken place there. It is the scene of many Government

antitrust cases such as the Investment Bankers case which took such a long time to try. For instance, 1 antitrust case took 35 trial days; a tort case took 34 trial days; a libel suit involved 33 trial days; a Taft-Hartley case involved 29 trial days, 2 contract cases took 24 and 23 days, respectively; 1 criminal case took 28 days.

This court has also over the past several years received help from judges from other circuits and districts. But nevertheless, even with such additional help, it has not been possible to keep up with the cases filed annually.

Recently a determined effort was made to reduce the backlog that existed in the court's docket. To date, that attempt has been very successful. Nevertheless, the need for these three new additional judges continues. At the close of the three-quarter mark for the fiscal year 1956 there were still 8,825 pending civil cases even though as of that date the court had terminated 5,156 cases. The Government itself was a party in 764 new cases stated in 1956, of which 972 Government cases were terminated at the close of the three-quarter mark of the fiscal year 1956.

The Department of Justice and the Judicial Conference of the United States have recommended and approved these three additional judges for the southern district of New York. The attached memorandum of the judicial business of the district by the Administrative Office of the United States Courts clearly indicates the necessity of creating these additional judgeships.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR SOUTHERN DISTRICT OF NEW YORK

The southern district of New York continues to have the most congested dockets of any district court in the Federal system, in spite of the addition of 4 judgeships in 1949 and 2 in 1954. The delay between calendaring and trial in personal injury jury cases which are about half the total on the civil calendars is so great as to amount to a denial of justice in some cases. Beginning with the fiscal year 1954 the cases on the civil calendar were divided into five groups. As of January 28, 1955, the number of cases on each calendar and the months required to reach trial from the date of calendaring were as follows: jury personal-injury cases, 2,921—43 months; other jury cases, 482—4 months; nonjury personal injury and death cases, 350—4 months or less; nonjury other, 1,314—29 months, and admiralty, 1,158—19 months.

The tremendous caseload of pending civil cases on December 31, 1954 was 11,027, almost a sixth of all civil cases pending in all of the 94 United States district courts which have a total of 251 district judgeships. This mass of pending cases was largely built up from the end of World War II to the end of 1948, since which time it has been possible only to hold it even. However, cases on the civil calendar continued to grow in number until the end of 1951. In that year the Judicial Conference of the United States recommended a total of 5 additional judgeships of which 2 were recommended as temporary. In 1954, as has been previously stated, Congress created 2 permanent judgeships for the district. In a report to the House and Senate

Judiciary Committees dated March 2, 1953, which appears in Senate Report No. 224 of the 83d Congress, 1st session, it was stated:

A period of 3 years in reaching trial in the Federal court not only practically denies civil litigants their day in court but also reflects badly on the entire Federal court system. The question which is important in this connection is not whether relief should be granted but rather the extent of the relief to be granted. The recommendation of the Judicial Conference for 5 additional judgeships, 3 permanent and 2 temporary, was made after careful consideration. If adopted the total permanent addition to the staff of judges will be 3, 2 additional temporary judgeships being provided in order to assist in bringing the dockets up to date. It should be stated candidly that it seems probable at the present time that three additional permanent judges will not be enough to handle the business of the district.

At the September 1954 session of the Conference three additional permanent judgeships were recommended, and it must be again stated that even with this addition there is considerable doubt that the present unmanageable dockets can be brought to a state of currency.

The general reasons for this condition are to be found in the economic expansion which has taken place in this country since the war and its reflection in the business transacted in New York City, which is the center of our financial and business enterprises. While Government activity has been expanding it is the rise in private cases which has caused the principal delays in the courts and this has grown out of the astonishing expansion of business, in national income, in employment, and automobile registrations. Gross national product in constant 1939 dollars has risen from \$101 billion in 1940 to an estimated \$170 billion in 1954, an increase of 70 percent, and the estimated national income of \$298.9 billion for 1954 is three and two-thirds times that of 1940. Total motor-vehicle registrations in 1953 were 56 million compared with 32 million in 1940.

With the number of civil cases filed in the southern district of New York constantly far above the national average per judge the result has been the present docket condition which has already been referred to. The pending caseload and the percentage of the entire pending caseload in the United States of certain types of civil cases on June 30, 1954, was as follows:

Pending cases as of June 30, 1954

	New York (southern)	All districts	Percentage New York (southern) to all districts
Total civil cases.....	10, 989	68, 431	16. 1
Private admiralty cases.....	2, 895	5, 528	52. 4
Patent cases.....	228	1, 095	20. 8
Copyright cases.....	118	282	41. 8
Antitrust cases brought by the United States.....	19	71	26. 8
Jones Act cases for injury to seamen.....	2, 631	4, 151	63. 4
Employers' liability for injury to railroad workmen.....	215	1, 735	12. 4
Private antitrust suits.....	129	512	25. 2

It will be recognized that many of these types of cases involve difficult and time-consuming trials and a substantial amount of legal research.

On June 30, 1954, there were 10,989 civil cases pending in the southern district of New York with 18 judgeships. In all 86 districts having only Federal jurisdiction there were 59,005 civil cases pending before 229 district judges. The southern district of New York had 18.6 percent of the pending cases but only 7.9 percent of the judge power. If the number of judges in the district had been increased to 21 the proportion of judges would have been 9.2 percent.

The causes for the present condition have been referred to. The following information will bring out in more detail what that condition is. Table A set out below shows the number of civil cases and the number of private civil cases filed per judge in this district as compared with the national average for each fiscal year from 1941 to 1954 and for the latter year shows what the caseload would have been compared to the national average if there had been 21 judges in the southern district of New York instead of 18. In most of the past 14 years the caseload per judge has been at least 50 percent above the national average and even with 21 judges in 1954 it would still have been above the national average for civil cases. Private civil cases are listed separately because they take much more judicial time on the average than cases in which the United States is a party. With 21 judges the private caseload per judge in 1954 would have been 176 compared with the national average of 127.

TABLE A.—*Number of civil cases filed per judgeship in the southern district of New York compared with the national average, 1941-54*

Fiscal year	Number of judgeships	Total civil cases filed per judgeship		Private civil cases filed per judgeship	
		New York (southern)	National average ¹	New York (southern)	National average ¹
1941-----	13	277	164	184	82
1942-----	13	214	168	155	77
1943-----	13	227	158	152	58
1944-----	² 12	379	169	157	56
1945-----	12	558	295	141	57
1946-----	12	541	321	139	70
1947-----	12	614	271	304	109
1948-----	12	491	205	359	117
1949-----	12	448	238	326	121
1950-----	³ 16	326	222	240	113
1951-----	16	309	204	231	111
1952-----	16	341	236	253	126
1953-----	16	367	261	275	146
1954-----	⁴ 18	267	210	205	127
1954-----	⁵ 21	229	208	176	125

¹ The average number of cases filed per judgeship for all districts having purely Federal jurisdiction: 84 districts from 1941 to 1948, 86 thereafter.

² Temporary judgeship expired.

³ 4 new judgeships created by act approved Aug. 3, 1949.

⁴ 2 new judgeships created by act of Feb. 10, 1954.

⁵ Including the number of judges recommended for New York (southern) by the Judicial Conference.

Table B which follows gives the same type of comparison for civil cases which are pending. It shows the civil cases pending in this district per judge are over twice the national average and private civil cases pending per judge are over three times the national average.

If the district had had 21 judges on June 30, 1954, the number of civil cases pending per judge would have been 523 compared with the national average in 86 districts of 254 and the number of private civil cases per judge would have been 423 compared with the national average of 161.

TABLE B.—*Number of cases pending per judgeship at the end of fiscal years 1941-54 in the southern district of New York compared with the national average*¹

Fiscal year	Number of judgeships	Total civil cases pending per judgeship		Private civil cases pending per judgeship	
		New York (southern)	National average ¹	New York (southern)	National average ¹
1941.....	13	314	138	227	81
1942.....	13	269	138	204	74
1943.....	13	269	144	190	64
1944.....	12	373	150	206	62
1945.....	12	488	196	210	66
1946.....	12	620	223	235	77
1947.....	12	842	245	392	109
1948.....	12	904	235	562	131
1949.....	12	925	256	637	144
1950.....	16	696	239	516	139
1951.....	16	697	236	542	143
1952.....	16	714	259	560	155
1953.....	16	736	288	587	175
1954.....	18	611	258	494	163
1954.....	21	523	254	423	161

¹ See footnotes, table A.

One reason for the docket condition in this district is that many long and hard cases are tried here. Many more Government antitrust cases are filed in this district than in any other, and some of them, such as the Investment Bankers case, take years of time.

Of 17 civil trials and 18 criminal trials terminated in the United States district courts during the fiscal year 1954 which required over 20 trial days each, 6 civil and 1 criminal or one-fifth of the entire number were in the southern district of New York. Those trials were as follows:

Style of the case	Nature of proceeding	Number of trial days	Type of trial
Civil cases:			
<i>International News v. Curtis Publishing</i>	Antitrust.....	35	Nonjury.
<i>C. I. T. v. Glover</i>	Tort.....	34	Jury.
<i>Reynolds v. Pegler</i>	Libel.....	33	Do.
<i>U. S. v. International Longshoremen</i>	Taft-Hartley.....	29	Do.
<i>Harvey Aluminum v. American Cyanamid</i>	Contract.....	24	Nonjury.
<i>Rutkin v. Reinfield</i>	do.....	23	Jury.
Criminal cases:			
<i>U. S. v. Costello</i>	Income tax.....	28	Do.

Table C shows the number of cases on the civil calendars at the end of each fiscal year from 1940-54 and on December 31, 1954.

TABLE C.—*Number of cases on the calendar of the southern district of New York at the end of each fiscal year, 1940-54*

Fiscal year	Total civil cases	Jury	Nonjury	Admiralty
1940.....	1,681	794	659	228
1941.....	1,701	720	730	251
1942.....	1,384	457	697	230
1943.....	762	220	276	266
1944.....	1,142	324	321	497
1945.....	1,679	473	357	849
1946.....	2,843	676	815	1,352
1947.....	4,011	1,252	1,047	1,712
1948.....	4,799	1,926	1,179	1,694
1949.....	5,582	2,511	1,270	1,801
1950.....	6,006	2,770	1,459	1,777
1951.....	6,358	3,141	1,504	1,713
1952.....	6,013	3,202	1,150	1,661
1953.....	6,213	3,342	1,179	1,692
1954.....	6,213	3,411	1,314	1,488
Dec. 31, 1954.....	6,279	3,452	1,620	1,207

Beginning June 30, 1953, a new calendar system was adopted. The cases on this calendar are as follows:

	Total	Calendar No. 1, jury, personal injury and damage	Calendar No. 2, jury, other	Calendar No. 3, nonjury, personal injury and damage	Calendar No. 4, nonjury, other	Calendar No. 5, admiralty
June 30, 1953.....	6,213	2,814	528	580	989	1,302
June 30, 1954.....	6,213	2,891	520	345	1,189	1,268
Dec. 31, 1954.....	6,256	2,940	512	327	1,293	1,184

The time from calendaring to trial has steadily increased until now in personal injury suits where a jury is demanded litigants are being denied adequate relief by reason of delay.

Time from issue to trial in jury, nonjury, and admiralty cases tried in the southern district of New York, 1940-54

End of fiscal year	Jury months	Nonjury months	Admiralty months
1946.....	8	7	15
1947.....	11	9	24
1948.....	15	13	27
1949.....	19	16	29
1950.....	25	23	30
1951.....	29	23	30
1952.....	35	26	27
1953.....	38	31	36

	Jury personal injury	Jury other	Nonjury personal injury	Nonjury other	Admiralty
1954.....	44	19	7	34	21
Jan. 28, 1955.....	43	4	4	29	19

More judges must be created for this court if litigants are to receive justice. Previous additions to its judge power have not been sufficient and no headway has been made in clearing up arrearages. The chief judge of the district, John C. Knox, is an efficient administrator of his court and a judge of long experience and every effort has been made to increase the efficiency of the court but it is the considered judgment of the judges of that court, of the circuit council of the second circuit and the Judicial Conference of the United States that additional judge power should be provided. The addition of three more permanent judgeships was recommended by the Judicial Conference at its September, 1954, session.

Since 1947 the number of criminal cases commenced annually has been between 850 and 1,050. While this caseload is not heavy in numbers in comparison with the number of judges in the district a number of long and important criminal cases have been tried in the southern district including such widely known and prolonged trials as the Dennis case involving the first mass trial of Communists under the Smith Act which required 168 trial days, the Flynn case involving the trial of the second string Communists which lasted 154 trial days, the trial of Sergeant Provoo, the trial of Alger Hiss and during the past year a long income-tax case, *U. S. v. Costello*. The number of criminal cases filed in 1954 was 924 and the number terminated 1,109. As of December 31, 1954, there were 760 pending criminal cases, a larger number than any other district except the District of Columbia which has jurisdiction of local as well as Federal crimes. There are at the present time a number of criminal cases awaiting trial.

Statistical tables are attached.

SOUTHERN DISTRICT OF NEW YORK

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	3, 597	3, 423	4, 087	1949.....	5, 380	5, 130	11, 098
1942.....	2, 778	3, 371	3, 494	1950.....	5, 210	5, 174	11, 134
1943.....	2, 949	2, 950	3, 493	1951.....	4, 946	4, 932	11, 148
1944.....	4, 552	3, 568	4, 477	1952.....	5, 453	5, 173	11, 428
1945.....	6, 698	5, 317	5, 858	1953.....	5, 871	5, 531	11, 768
1946.....	6, 492	4, 916	7, 434	1954.....	4, 803	5, 582	10, 989
1947.....	7, 373	4, 708	10, 099	1955.....	4, 522	5, 177	10, 334
1948.....	5, 896	5, 147	10, 848	3 quarters of 1956..	3, 647	5, 156	8, 825

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	2, 395	2, 276	2, 949	1949.....	3, 917	3, 017	7, 638
1942.....	2, 017	2, 319	2, 647	1950.....	3, 836	3, 211	8, 263
1943.....	1, 977	2, 150	2, 474	1951.....	3, 697	3, 284	8, 676
1944.....	1, 888	1, 895	2, 467	1952.....	4, 050	3, 766	8, 960
1945.....	1, 687	1, 633	2, 521	1953.....	4, 400	3, 975	9, 385
1946.....	1, 665	1, 366	2, 820	1954.....	3, 697	4, 199	8, 883
1947.....	3, 645	1, 759	4, 706	1955.....	3, 543	3, 963	8, 463
1948.....	4, 302	2, 270	6, 738	3 quarters of 1956..	2, 883	4, 184	7, 162

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	1,202	1,147	1,138	1950-----	1,374 (245)	1,963	2,871
1942-----	761	1,052	847	1951-----	1,249 (3)	1,648	2,472
1943-----	972 (66)	800	1,019	1952-----	1,403 (75)	1,407	2,468
1944-----	2,664 (1,160)	1,673	2,010	1953-----	1,471 (103)	1,556	2,383
1945-----	5,011 (2,782)	3,684	3,337	1954-----	1,106	1,383	2,106
1946-----	4,827 (1,866)	3,550	4,614	1955-----	979	1,214	1,871
1947-----	3,728 (1,000)	2,949	5,393	3 quarters of 1956-----	764	972	1,663
1948-----	1,594 (172)	2,877	4,110				
1949-----	1,463 (254)	2,113	3,460				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	1,095	1,091	1,041	1949-----	869	933	515
1942-----	1,150	1,123	1,068	1950-----	987	826	697
1943-----	1,189	1,211	1,046	1951-----	940	903	798
1944-----	1,471	1,512	1,005	1952-----	970	882	920
1945-----	1,506	1,565	946	1953-----	1,033	908	1,073
1946-----	1,266	1,481	731	1954-----	924	1,109	921
1947-----	1,317	1,357	730	1955-----	999	1,266	697
1948-----	933	1,148	538	3 quarters of 1956-----	685	797	599

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		New York (southern)	National average ²	New York (southern)	National average ²	New York (southern)	National average ²
1941-----	13	277	164	184	82	84	153
1942-----	13	214	168	155	77	88	161
1943-----	13	227	158	152	58	90	174
1944-----	12	379	169	157	56	121	184
1945-----	12	558	295	141	57	124	176
1946-----	12	541	321	139	70	105	142
1947-----	12	614	271	304	109	108	134
1948-----	12	491	205	359	117	77	123
1949-----	12	448	238	326	121	71	123
1950-----	16	326	222	240	113	61	116
1951-----	16	309	204	231	111	56	106
1952-----	16	341	236	253	126	60	112
1953-----	16	367	261	275	146	63	114
1954-----	18	267	210	205	127	49	103
1955-----	18	251	212	197	126	52	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—Time elapsing in civil cases tried ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		New York (southern)	National median	New York (southern)	National median
1945.....	340	15.2	9.0	8.2	5.3
1946.....	325	16.0	8.9	10.1	5.0
1947.....	277	17.9	9.0	11.4	5.1
1948.....	311	22.5	9.9	15.1	5.8
1949.....	313	25.7	10.4	18.8	5.9
1950.....	249	32.4	11.2	21.1	6.7
1951.....	380	35.4	12.2	28.5	7.3
1952.....	258	41.2	12.1	33.1	7.0
1953.....	291	47.3	12.4	37.2	7.4
1954.....	298	45.0	13.5	35.9	8.1
1955.....	391	45.9	14.6	34.8	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	New York (southern)	86 districts
Civil cases:		
Total cases.....	251	212
United States cases.....	54	86
Private cases.....	197	126
United States cases:		
United States plaintiff.....	28	68
Land condemnation.....		3
Fair Labor Standards Act.....	2	2
Other enforcement suits.....	8	3
Food and Drug Act.....	6	5
Liquor laws.....	1	4
Other forfeitures and penalties.....		2
Negotiable instruments.....	2	25
Other contracts.....	5	16
Other United States plaintiff.....	3	8
United States defendant.....	26	17
Enjoin Federal agencies.....	4	3
Habeas corpus.....	4	4
Tort Claims Act.....	4	4
Tax suits.....	3	4
Other United States defendant.....	12	3
Private cases:		
Federal question.....	90	31
Copyright.....	4	1
Employers' Liability Act.....	7	6
Fair Labor Standards Act.....		1
Habeas corpus.....		3
Jones Act.....	62	9
Miller Act.....		1
Patent.....	7	3
Other Federal question.....	9	7
Diversity of citizenship.....	49	84
Insurance.....	3	14
Other contracts.....	16	15
Real property.....		3
Personal injury (motor vehicle).....	6	32
Personal injury (other).....	19	15
Other diversity.....	4	5
Admiralty.....	58	11
Criminal cases (less immigration).....	52	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	442	372	242	130	70	8	62
1952.....	372	283	169	114	89	24	65
1953.....	332	251	150	101	81	17	64
1954.....	408	318	224	94	90	12	78
1955.....	559	412	264	148	147	29	118

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		New York (southern)	National average ¹	New York (southern)	National average ¹	New York (southern)	National average ¹
1951.....	16	28	39	23	28	4	11
1952.....	16	23	40	18	27	6	13
1953.....	16	21	44	16	29	5	15
1954.....	18	23	40	18	25	5	15
1955.....	18	31	41	23	26	8	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	New York (southern)	National average
Total civil cases.....	574	258
United States civil cases.....	104	89
Private civil cases.....	470	169
United States plaintiff:.....	42	58
Land condemnation.....	1	13
Antitrust.....	18	8
Other enforcement suits.....	3	4
Forfeitures and penalties.....	2	13
Negotiable instruments.....	9	13
Other contracts.....	9	7
Other United States plaintiff.....	61	31
United States defendant:.....	8	7
Tort Claims Act.....	11	8
Tax suits.....	42	16
Other United States defendant.....	197	47
Federal question:.....	7	2
Antitrust.....	7	2
Copyright.....	13	8
FELA.....	137	18
Jones Act.....	15	5
Patent.....	18	12
Other Federal question.....	122	98
Diversity of citizenship:.....	6	10
Insurance.....	32	20
Other contracts.....	1	2
Real property.....	20	34
Personal injury (motor vehicle).....	51	21
Personal injury (other).....	12	11
Other diversity.....	152	24
Admiralty.....		

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	10,334	2,021	1,545	2,317	2,134	1,232	522	563
United States civil.....	1,871	337	267	349	398	204	108	208
United States plaintiff.....	758	147	152	153	149	51	39	67
United States defendant.....	1,113	190	115	196	249	153	69	141
Private civil.....	8,463	1,684	1,278	1,968	1,736	1,028	414	355
Federal question.....	3,534	777	556	789	671	467	163	111
Diversity.....	2,194	405	324	502	400	309	156	98
Admiralty.....	2,735	502	398	677	665	252	95	146

EASTERN DISTRICT OF NEW YORK

The bill authorizes one additional district judge for the eastern district of New York, thus increasing the number of judges there from 6 to 7. The third judge was added in 1936 and there has been no increase since that date.

The eastern district of New York is comprised of the counties of Kings, Nassau, Queens, Richmond and Suffolk, and its term is held at Brooklyn. This district takes in 3 of the counties which comprise the city of New York and 2 nearby counties on Long Island. The district itself is one of the most populated districts in the entire country.

During the war, judges from this district often sat regularly in the southern district of New York but the docket conditions since then have precluded the continuance of this practice. Following the termination of the war, the number of pending civil cases rose rapidly so that by 1947 the figure of 2,200 was reached and it so continued for approximately 3 years thereafter when, in 1951, it rose to 2,400. At the close of the fiscal year for 1955 there were pending 2,764 cases, of which 1,765 were private civil cases. Since 1950 over 1,100 civil cases had been commenced each year and even though the number of cases terminated each year has been increasing, the backlog of pending cases continues to increase also. The caseload per judgeship in this district for all civil cases exceeded the national average of 212 in that its caseload per judgeship was 231. In the matter of private civil cases, however, it was slightly under the national average of 126, its figure being 122.

With regard to the time elapsing in civil cases tried, the figures for this district far exceed the national averages. In 1955 the median interval in months from filing to disposition was 45.1 months compared to the national figure of 14.6. The median interval in months from issue to trial for this district was 39.4, compared to the national figure of 9.1 months.

The Department of Justice and the Judicial Conference of the United States have recommended and approved this additional judgeship. There is attached a memorandum of the judicial business of the district prepared by the Administrative Office of the United States Courts.

THE JUDICIAL BUSINESS OF THE EASTERN DISTRICT OF NEW YORK

Following the war the number of pending civil cases increased rapidly to over 2,200 in 1947 where it remained for about 3 years and in 1951 increased to 2,400. There has been only a small increase since that time.

However the condition of the civil calendar has deteriorated very decidedly since the war as is shown by the following table:

Cases on civil calendar, New York, eastern

End of term	Admiralty	Nonjury	Jury	Total
December 1946.....	240	6	57	303
June 1947.....	244	114	61	419
June 1948.....	309	152	251	712
June 1949.....	432	135	341	908
June 1950.....	503	254	296	1,053
June 1951.....	518	241	390	1,149
June 1952.....	485	274	540	1,299
June 1953.....	454	319	525	1,299
May 1954.....	408	385	624	1,417
December 1954.....	382	433	729	1,544
December 1953.....	468	403	649	1,520

During the year from December 31, 1953 to December 31, 1954, the cases on the calendar increased by 24.

Since 1948 there has also been a very large increase in the median time required for the disposition of civil cases reaching trial in this district. The median time intervals for the fiscal years 1948 to 1954 as shown in table 3 have been as follows:

Median time from filing to disposition and issue to trial for cases terminated after trial in the eastern district of New York

Fiscal year	Cases terminated after trial ¹	Medians in months	
		Filing to disposition	Issue to trial
1948.....	133	17.3	9.4
1949.....	170	21.8	13.5
1950.....	173	21.4	17.9
1951.....	180	25.7	20.0
1952.....	126	25.4	17.2
1953.....	98	32.6	28.5
1954.....	108	39.5	34.2

¹ Does not include land condemnation, forfeiture and habeas corpus cases.

The following breakdown by nature of suit indicates the long delays which are taking place in this district:

Cases terminated after trial began, fiscal year 1954

Number of cases	Nature of suit	Number of cases in each period	
		Filing to disposition	Issue to trial
	TORT CLAIMS ACT		
12 (nonjury) -----	Less than 1 year -----	1	1
	1 to 2 years -----		
	2 to 3 years -----	3	4
	3 to 4 years -----	3	4
	4 to 5 years -----	3	1
	5 years or over -----	2	2
	OTHER UNITED STATES		
12 (11 nonjury, 1 jury) -----	Less than 1 year -----		1
	1 to 2 years -----	1	1
	2 to 3 years -----	2	2
	3 to 4 years -----	2	7
	4 to 5 years -----	4	
	5 years or over -----	3	1
	FEDERAL EMPLOYERS' LIABILITY ACT		
16 (1 nonjury, 15 jury) -----	Less than 1 year -----	2	4
	1 to 2 years -----	6	4
	2 to 3 years -----	5	6
	3 to 4 years -----	2	1
	Over 5 years -----	1	1
	OTHER FEDERAL QUESTION		
12 (6 nonjury, 6 jury) -----	Less than 1 year -----	2	5
	1 to 2 years -----	3	
	2 to 3 years -----	3	6
	3 to 4 years -----	3	1
	4 to 5 years -----	1	
	PERSONAL INJURY—NEGLIGENCE		
19 (1 nonjury, 18 jury) -----	Less than 1 year -----	4	5
	1 to 2 years -----	2	2
	2 to 3 years -----	7	6
	3 to 4 years -----	4	5
	4 to 5 years -----	2	1
	OTHER DIVERSITY		
8 (5 nonjury, 3 jury) -----	Less than 1 year -----		
	1 to 2 years -----	1	1
	2 to 3 years -----	3	4
	3 to 4 years -----	1	1
	4 to 5 years -----	3	2
	ADMIRALTY		
29 (all nonjury) -----	Less than 1 year -----		1
	1 to 2 years -----	1	4
	2 to 3 years -----	1	
	3 to 4 years -----	1	5
	4 to 5 years -----	8	16
	5 years or over -----	18	3
	TOTAL		
108 (65 nonjury, 43 jury) -----	Less than 1 year -----	9	17
	1 to 2 years -----	14	12
	2 to 3 years -----	24	28
	3 to 4 years -----	16	24
	4 to 5 years -----	21	20
	5 years or over -----	24	7

The medians for jury and nonjury cases were as follows:

Number of cases	Filing to disposition	Issue to trial
Nonjury, 65.....	53.8	45.5
Jury, 43.....	27.4	26.0

This compares with the following national medians:

	Filing to disposition	Issue to trial
Nonjury.....	15.0	8.0
Jury.....	11.6	8.3

It appears from the above tabulations that admiralty cases drag much more than any others. If the 29 private admiralty trials were eliminated from the nonjury list, the other 36 nonjury cases would have the following median intervals in months:

Filing to disposition.....	46.9
Issue to trial.....	38.2

Admiralty cases always are longer in the courts than many other kinds of actions because witnesses or parties are often absent and the admiralty bar has accustomed itself to a slow pace. But even without these cases the medians for nonjury cases of approximately 4 years from filing to disposition and 3 years from issue to trial are far beyond normal conditions.

The proportion of cases in this district disposed of by trial or by court action or motion was only 7.6 percent of total civil terminations, which is considerably below the national average. On the other hand, the number of trials in admiralty cases, 9 percent was well above average. Out of 44 Jones Act cases terminated only one reached trial while with the same number of terminations in Tort Claims Act cases, there were 12 trials. Further details on the method of disposition of civil cases terminated are given in table 5.

A vacancy covering practically the entire court year from September 30, 1952, to May 20, 1953, followed Judge Kennedy's resignation and there has been illness which has depleted the ranks of the judges on duty during the last several years. Especially important as a cause of the docket situation has been the large number of cases arising out of two disastrous wrecks on the Long Island Railroad. These have resulted in a large number of trials but most of them were disposed of by July 1, 1953, and the docket situation has disintegrated further since that time.

Judge Mortimer G. Byers of this district attributes the present situation largely to the lawyers and particularly to the fact that the negligence cases are in comparatively few hands. This is undoubtedly one of the causes of delay.

The number of trials for the last 5 years is shown in table 6.

The criminal cases in this district now exceed the prewar figures but the number of cases filed annually has not increased materially since 1948. However, the number of pending cases as of December 31, 1954, was 171 compared with 107 at the end of the fiscal year 1948. Criminal

cases filed in the first half of the current fiscal year were 181 and the number terminated was 195 (excluding transfers in both figures). The United States attorney reports difficulties in getting his criminal cases tried because of the lack of sufficient judge-power.

The eastern district of New York had a population at the time of the 1950 census of 5,429,473. This was a larger number of people than in any other Federal judicial district except northern Illinois, which has 8 judgeships and southern California which has 11 judgeships.

Statistical tables are attached.

EASTERN DISTRICT OF NEW YORK

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com-menced	Termini-nated	Pending June 30	Fiscal year	Com-menced	Termini-nated	Pending June 30
1941.....	1,272	1,109	1,223	1949.....	1,346	1,381	2,156
1942.....	1,062	1,176	1,109	1950.....	1,198	1,237	2,117
1943.....	987	1,099	997	1951.....	1,266	971	2,412
1944.....	1,007	897	1,107	1952.....	1,167	1,272	2,307
1945.....	2,263	1,955	1,415	1953.....	1,251	1,073	2,485
1946.....	2,054	1,535	1,934	1954.....	1,180	1,174	2,491
1947.....	1,721	1,412	2,243	1955.....	1,384	1,111	2,794
1948.....	1,383	1,435	2,191				

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Termini-nated	Pending June 30	Fiscal year	Com-menced	Termini-nated	Pending June 30
1941.....	724	627	790	1949.....	733	613	1,407
1942.....	647	704	733	1950.....	658	644	1,421
1943.....	559	671	621	1951.....	808	557	1,672
1944.....	490	474	637	1952.....	677	789	1,560
1945.....	538	479	696	1953.....	741	644	1,657
1946.....	545	467	774	1954.....	684	588	1,653
1947.....	735	554	955	1955.....	729	617	1,765
1948.....	862	530	1,287				

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Termini-nated	Pending June 30	Fiscal year	Commenced	Termini-nated	Pending June 30
1941.....	548	482	433	1949.....	613 (289)	768	749
1942.....	415	472	376	1950.....	540 (171)	593	696
1943.....	428 (12)	428	376	1951.....	458 (—)	414	740
1944.....	517 (166)	423	470	1952.....	490 (38)	483	747
1945.....	1,725 (1,228)	1,476	719	1953.....	510 (41)	429	828
1946.....	1,509 (1,111)	1,068	1,160	1954.....	496	486	838
1947.....	986 (615)	858	1,288	1955.....	655	494	999
1948.....	521 (173)	905	904				

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941—Con.

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com- menced	Termi- nated	Pending, June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	259	288	134	1949.....	333	341	106
1942.....	344	260	218	1950.....	266	298	84
1943.....	556	515	259	1951.....	251	265	76
1944.....	722	724	257	1952.....	230	231	93
1945.....	526	554	229	1953.....	237	241	101
1946.....	543	570	202	1954.....	358	289	180
1947.....	366	422	151	1955.....	408	404	189
1948.....	338	393	107				

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judge- ships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		New York (eastern)	National average ²	New York (eastern)	National average ²	New York (eastern)	National average ²
1941.....	6	212	164	121	82	43	153
1942.....	6	177	168	108	77	57	161
1943.....	6	165	158	93	58	88	174
1944.....	6	168	169	82	56	115	184
1945.....	6	377	295	90	57	86	176
1946.....	6	342	321	91	70	89	142
1947.....	6	287	271	123	109	60	134
1948.....	6	231	205	144	117	56	123
1949.....	6	224	238	122	121	55	123
1950.....	6	200	222	110	113	44	116
1951.....	6	211	204	135	111	41	106
1952.....	6	195	236	113	126	38	112
1953.....	6	209	261	124	146	39	114
1954.....	6	197	210	114	127	57	103
1955.....	6	231	212	122	126	66	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—Time elapsing in civil cases tried ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		New York, (eastern)	National median	New York, (eastern)	National median
1945.....	116	14.8	9.0	6.3	5.3
1946.....	98	18.0	8.9	8.6	5.0
1947.....	98	17.3	9.0	7.9	5.1
1948.....	133	17.3	9.9	9.4	5.8
1949.....	170	21.8	10.4	13.5	5.9
1950.....	173	21.4	11.2	17.9	6.7
1951.....	130	15.7	12.2	20.0	7.3
1952.....	126	25.4	12.1	17.2	7.0
1953.....	98	32.6	12.4	28.5	7.4
1954.....	108	39.5	13.5	34.2	8.1
1955.....	86	45.1	14.6	39.4	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	New York (eastern)	86 districts
Civil cases:		
Total cases.....	231	212
United States cases.....	109	86
Private cases.....	122	126
United States cases:		
United States plaintiff.....	66	68
Land condemnation.....	1	3
Fair Labor Standards Act.....	7	2
Other enforcement suits.....	10	3
Food and Drug Act.....	6	5
Liquor laws.....	1	2
Other forfeitures and penalties.....	6	4
Negotiable instruments.....	13	25
Other contracts.....	15	16
Other United States plaintiff.....	7	8
United States defendant.....	44	17
Enjoin Federal agencies.....	23	3
Habeas corpus.....	1	4
Tort Claims Act.....	10	4
Tax suits.....	3	4
Other United States defendant.....	7	3
Private cases:		
Federal question.....	43	31
Copyright.....	2	1
Employers' Liability Act.....	14	6
Fair Labor Standards Act.....	1	1
Habeas corpus.....		3
Jones Act.....	11	9
Miller Act.....	1	1
Patent.....	7	3
Other Federal question.....	8	7
Diversity of citizenship.....	61	84
Insurance.....	2	14
Other contracts.....	7	15
Real property.....		3
Personal injury (motor vehicle).....	13	32
Personal injury (other).....	37	15
Other diversity.....	2	5
Admiralty.....	17	11
Criminal cases (less immigration).....	66	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials com- menced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	141	123	62	61	18	2	16
1952.....	139	117	49	68	22	8	14
1953.....	114	103	46	57	11	5	6
1954.....	165	123	72	51	42	10	32
1955.....	145	107	75	32	38	5	33

Table 6—Continued

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		New York (eastern)	National average ¹	New York (eastern)	National average ¹	New York (eastern)	National average ¹
1951.....	6	24	39	21	28	3	11
1952.....	6	23	40	20	27	4	13
1953.....	6	19	44	17	29	2	15
1954.....	6	28	40	21	25	7	15
1955.....	6	24	41	18	26	6	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	New York (eastern)	National average
Total civil cases.....	461	258
United States civil cases.....	167	89
Private civil cases.....	294	169
United States plaintiff.....	81	58
Land condemnation.....	3	13
Antitrust.....		
Other enforcement suits.....	30	8
Forfeitures and penalties.....	6	4
Negotiable instruments.....	9	13
Other contracts.....	20	13
Other United States plaintiff.....	12	7
United States defendant.....	86	31
Tort Claims Act.....	32	7
Tax suits.....	7	8
Other United States defendant.....	47	16
Federal question.....	87	47
Antitrust.....	2	2
Copyright.....	3	2
FELA.....	33	8
Jones Act.....	19	18
Patent.....	13	5
Other Federal question.....	17	12
Diversity of citizenship.....	141	98
Insurance.....	5	10
Other contracts.....	15	20
Real property.....		2
Personal injury (motor vehicle).....	31	34
Personal injury (other).....	85	21
Other diversity.....	5	11
Admiralty.....	67	24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	2,764	632	495	583	458	237	124	235
United States civil.....	999	285	192	183	135	65	37	102
United States plaintiff.....	484	116	124	94	49	23	6	72
United States defendant.....	515	169	68	89	86	42	31	30
Private civil.....	1,765	347	303	400	323	172	87	133
Federal question.....	521	115	115	132	88	33	12	26
Diversity.....	845	198	142	205	145	77	36	42
Admiralty.....	399	34	46	63	90	62	39	65

TABLE 1.—Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

EASTERN DISTRICT OF NEW YORK

TOTAL CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	1,272	1,109	1,223	1949.....	1,346	1,381	2,156
1942.....	1,062	1,176	1,109	1950.....	1,198	1,237	2,117
1943.....	987	1,099	997	1951.....	1,266	971	2,412
1944.....	1,007	897	1,107	1952.....	1,167	1,272	2,307
1945.....	2,263	1,955	1,415	1953.....	1,251	1,073	2,485
1946.....	2,054	1,535	1,934	1954.....	1,180	1,174	2,491
1947.....	1,721	1,412	2,243	1955.....	1,384	1,111	2,764
1948.....	1,383	1,435	2,191	3 quarters of 1956..	887	928	2,723

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	724	627	790	1949.....	733	613	1,407
1942.....	647	704	733	1950.....	658	644	1,421
1943.....	559	671	621	1951.....	808	557	1,672
1944.....	490	474	637	1952.....	677	739	1,560
1945.....	538	479	696	1953.....	741	644	1,657
1946.....	545	467	774	1954.....	684	588	1,653
1947.....	735	554	955	1955.....	729	617	1,765
1948.....	862	530	1,287	3 quarters of 1956..	514	446	1,833

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	548	482	433	1950-----	540 (171)	593	696
1942-----	415	472	376	1951-----	458 (—)	414	740
1943-----	428 (12)	428	376	1952-----	590 (38)	483	747
1944-----	517 (166)	423	470	1953-----	510 (41)	429	828
1945-----	1,725 (1,228)	1,476	719	1954-----	496	486	838
1946-----	1,509 (1,111)	1,068	1,160	1955-----	655	494	999
1947-----	986 (615)	858	1,288	3 quarters of 1956-----	373	482	890
1948-----	521 (173)	905	904				
1949-----	613 (289)	768	749				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	259	288	134	1949-----	333	341	106
1942-----	344	260	218	1950-----	266	298	84
1943-----	556	515	259	1951-----	251	265	76
1944-----	722	724	257	1952-----	230	231	93
1945-----	526	554	229	1953-----	237	241	101
1946-----	543	570	202	1954-----	358	289	180
1947-----	366	422	151	1955-----	408	404	189
1948-----	338	393	107	3 quarters of 1956--	354	339	218

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		New York (eastern)	National average ²	New York (eastern)	National average ²	New York (eastern)	National average ²
1941-----	6	212	164	121	82	43	153
1942-----	6	177	168	108	77	57	161
1943-----	6	165	158	93	58	88	174
1944-----	6	168	169	82	56	115	184
1945-----	6	377	295	90	57	86	176
1946-----	6	342	321	91	70	89	142
1947-----	6	287	271	123	109	60	134
1948-----	6	231	205	144	117	56	123
1949-----	6	224	238	122	121	55	123
1950-----	6	200	222	110	113	44	116
1951-----	6	211	204	135	111	41	106
1952-----	6	195	236	113	126	38	112
1953-----	6	209	261	124	146	39	114
1954-----	6	197	210	114	127	57	103
1955-----	6	231	212	122	126	66	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried*¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		New York (eastern)	National median	New York (eastern)	National median
1945	116	14.8	9.0	6.3	5.3
1946	98	18.0	8.9	8.6	5.0
1947	98	17.3	9.0	7.9	5.1
1948	133	17.3	9.9	9.4	5.8
1949	170	21.8	10.4	13.5	5.9
1950	173	21.4	11.2	17.9	6.7
1951	130	15.7	12.2	20.0	7.3
1952	126	25.4	12.1	17.2	7.0
1953	98	32.6	12.4	28.5	7.4
1954	108	39.5	13.5	34.2	8.1
1955	86	45.1	14.6	39.4	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—*Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955*

	New York (eastern)	86 districts
Civil cases:		
Total cases	231	212
United States cases	109	86
Private cases	122	126
United States cases:		
United States plaintiff	66	68
Land condemnation	1	3
Fair Labor Standards Act	7	2
Other enforcement suits	10	3
Food and Drug Act	6	5
Liquor laws	1	2
Other forfeitures and penalties	6	4
Negotiable instruments	13	25
Other contracts	15	16
Other United States plaintiff	7	8
United States defendant	44	17
Enjoin Federal agencies	23	3
Habeas corpus	1	4
Tort Claims Act	10	4
Tax suits	3	4
Other United States defendant	7	3
Private cases:		
Federal question	43	31
Copyright	2	1
Employers' Liability Act	14	6
Fair Labor Standards Act	1	1
Habeas corpus	1	3
Jones Act	11	9
Miller Act	1	1
Patent	7	3
Other Federal question	8	7
Diversity of citizenship	61	84
Insurance	2	14
Other contracts	7	15
Real property	1	3
Personal injury (motor vehicle)	13	32
Personal injury (other)	37	15
Other diversity	2	5
Admiralty	17	11
Criminal cases (less immigration)	66	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951-----	141	123	62	61	18	2	16
1952-----	139	117	49	68	22	8	14
1953-----	114	103	46	57	11	5	6
1954-----	165	123	72	51	42	10	32
1955-----	145	107	75	32	38	5	33

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		New York (eastern)	National average ¹	New York (eastern)	National average ¹	New York (eastern)	National average ¹
1951-----	6	24	39	21	28	3	11
1952-----	6	23	40	20	27	4	13
1953-----	6	19	44	17	29	2	15
1954-----	6	28	40	21	25	7	15
1955-----	6	24	41	18	26	6	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	New York (eastern)	National average
Total civil cases-----	461	258
United States civil cases-----	167	89
Private civil cases-----	294	169
United States plaintiff-----	81	58
Land condemnation-----	3	13
Antitrust-----		
Other enforcement suits-----	30	8
Forfeitures and penalties-----	6	4
Negotiable instruments-----	9	13
Other contracts-----	20	13
Other United States plaintiff-----	12	7
United States defendant-----	86	31
Tort Claims Act-----	32	7
Tax suits-----	7	8
Other United States defendant-----	47	16
Federal question-----	87	47
Antitrust-----	2	2
Copyright-----	3	2
FELA-----	33	8
Jones Act-----	19	18
Patent-----	13	5
Other Federal question-----	17	12
Diversity of citizenship-----	141	98
Insurance-----	5	10
Other contracts-----	15	20
Real property-----		2
Personal injury (motor vehicle)-----	31	34
Personal injury (other)-----	85	21
Other diversity-----	5	11
Admiralty-----	67	24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	2,764	632	495	583	458	237	124	235
United States civil.....	999	285	192	183	135	65	37	102
United States plaintiff...	484	116	124	94	49	23	6	72
United States defendant..	515	169	68	89	86	42	31	30
Private civil.....	1,765	347	303	400	323	172	87	133
Federal question.....	521	115	115	132	88	33	12	26
Diversity.....	845	198	142	205	145	77	36	42
Admiralty.....	399	34	46	63	90	62	39	65

EASTERN MIDDLE AND WESTERN DISTRICTS OF NORTH CAROLINA

The State of North Carolina is divided into three districts the eastern, middle, and western. There is presently one judge in each of the three districts and under the provisions of this bill a new roving judge is provided for so that the total number of judges then available in the State would be four.

Over the past 4 years there has been a sharp increase in the judicial business in each of the districts. The number of criminal cases in these three districts is very high. The number of criminal cases was 5 times the national average. In 1954 in the western district 406 criminal cases were filed. In the eastern district 212 were filed and in the middle district 102 criminal cases were filed.

Since 1951 the number of pending civil cases has continued to rise in each of the three districts. In these types of cases it is the eastern district where the pressure has been the heaviest, with the result that there has been an increase in the number of months it takes to dispose of cases there.

The Judicial Conference of the United States and the Department of Justice recommend and approve this roving judge for the eastern, middle, and western districts of North Carolina. The attached memorandum sets forth the judicial business in each of those districts.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURTS FOR THE EASTERN, MIDDLE, AND WESTERN DISTRICTS OF NORTH CAROLINA

There is now one judge in each of the three districts in North Carolina. A very considerable expansion has occurred in the civil business of the United States district courts in that State since 1951 when a proposal for an additional judgeship in North Carolina was being advocated by the late Senator Willis Smith. At that time the Judicial Conference of the Fourth Circuit took no action but at its meeting in Hot Springs, Va., on June 30, 1954, a proposal for an additional judge to serve in all three districts was unanimously adopted. Subsequently in September 1954, the same recommendation was approved by the Judicial Conference of the United States.

The following table covering the last 4 years shows the large increase in the judicial business of these districts:

Cases filed

Fiscal year	North Carolina (eastern)		North Carolina (middle)		North Carolina (western)	
	Civil	Criminal	Civil	Criminal	Civil	Criminal
1951.....	252	635	141	523	168	316
1952.....	373	522	225	561	193	326
1953.....	296	561	257	529	208	454
1954.....	360	560	269	623	212	406

Average per judgeship

Fiscal year	North Carolina (eastern, middle, and western)		National average	
	Civil	Criminal	Civil	Criminal (except immigration)
1951.....	187	491	204	106
1952.....	264	470	236	112
1953.....	254	515	261	114
1954.....	280	530	210	103

While the civil caseload per judge for the State in 1954 was one-third above the national average, the number of criminal cases was five times the national average if immigration cases are excluded. Criminal cases take much less time than civil cases as a rule but the criminal load in this State is a heavy burden. In 1954 the western district, having the lightest caseload of the 3, with 406 criminal cases filed, had a heavier criminal caseload per judge than any other district court outside of North Carolina if immigration cases are not counted. The immigration cases occur in great numbers in the five districts bordering on Mexico but are usually disposed of very rapidly on pleas of guilty. Almost two-thirds of the defendants in criminal cases in North Carolina are charged with liquor tax violations.

The number of trials in recent years has been increasing rapidly as the following figures show:

Trials

Fiscal year	North Carolina (eastern)			North Carolina (middle)			North Carolina (western)		
	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal
1951.....	185	41	144	107	21	86	75	17	58
1952.....	191	47	144	129	25	104	84	15	69
1953.....	211	52	159	116	21	95	140	42	98
1954.....	267	55	212	137	35	102	122	22	100

But even with more trials and more dispositions by the judges the pending load of civil cases has been constantly increasing during this period.

The figures are as follows:

Pending civil cases

Fiscal year	North Carolina (eastern)	North Carolina (middle)	North Carolina (western)
1951.....	241	80	153
1952.....	263	117	187
1953.....	271	144	197
1954.....	326	148	210

In the eastern district where the pressure has been the heaviest the result has been a median of 14.2 months from filing to disposition.

In the middle district, the median in 1954 was 9.3 months and for the western district for 1953 and 1954 combined (for a better statistical base because the number of trials in 1954 was less than 25) the median was 12.4 months.

It may also be added that North Carolina has the largest population per judgeship in the fourth circuit. With a larger population than Virginia, it has two less judges and a comparison with other States of comparable population shows that its ratio of population per judge is high.

State	Population ¹	Number of judgeships	Population per judgeship
North Carolina.....	4,180,000	3	1,393,333
Wisconsin.....	3,539,000	3	1,179,667
Indiana.....	4,104,000	4	1,026,000
Georgia.....	3,515,000	5	703,000
Virginia.....	3,498,000	5	699,600
Missouri.....	4,056,000	6	676,000
Tennessee.....	3,257,000	5	651,400

¹ 1952 estimate from Statistical Abstract of the United States, 1953.

Other States with smaller population but an equal or larger number of judgeships are as follows:

State	Population	Number of judgeships	Population per judgeship
Alabama.....	3,051,000	4	762,650
Minnesota.....	3,021,000	4	755,250
Kentucky.....	2,916,000	4	729,000
South Carolina.....	2,130,000	3	710,000
Louisiana.....	2,816,000	4	704,000
West Virginia.....	1,951,000	3	650,333
Arkansas.....	1,876,000	3	625,333
Washington.....	2,467,000	4	616,750
Oregon.....	1,594,000	3	531,333
Florida.....	3,100,000	6	516,667
Oklahoma.....	2,265,000	5	453,000

In the fourth circuit the comparison is as follows:

District	Population	Number of judgeships	Population per judgeship
North Carolina.....	4, 180, 000	3	1, 393, 333
Maryland.....	2, 526, 000	2	1, 263, 000
South Carolina.....	2, 130, 000	3	710, 000
Virginia.....	3, 498, 000	5	699, 600
West Virginia.....	1, 951, 000	3	650, 333

While population per judgeship by itself is not a reliable indication of judicial need, it is a factor to be considered.

The North Carolina judges have worked diligently to dispose of their judicial business but the pending cases have been increasing in spite of their efforts.

Judge Johnson J. Hayes of the middle district, an able judge of more than 25 years experience on the bench, recently wrote from Greensboro:

I have been holding court here through January and this month (February) trying to reduce the civil docket. They have put 19 more cases on the calendar during the same time than I have been able to get off.

During the fall of 1954 we were kept in court virtually all the time. The civil docket and criminal docket were both heavy, which deprived me of an opportunity to dispose of cases that had been argued and briefs submitted. * * *

I really need help here, and need it badly.

The total civil cases, private civil cases, and criminal cases commenced in these three districts during the first half of the fiscal years 1954 and 1955 are as follows:

Fiscal year	North Carolina (eastern)	North Carolina (middle)	North Carolina (western)
Total civil:			
1st half of 1954.....	165	166	94
1st half of 1955.....	159	83	91
Private civil:			
1st half of 1954.....	54	48	35
1st half of 1955.....	51	28	33
Criminal:			
1st half of 1954.....	270	268	191
1st half of 1955.....	307	208	278

The number of trials in 1954 by nature of suit is shown in exhibit A attached and this is followed by 4 detailed tables showing the judicial business of each district since 1941.

EASTERN DISTRICT OF NORTH CAROLINA

TABLE 1.—Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

TOTAL CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	250	257	111	1949.....	210	172	173
1942.....	208	148	171	1950.....	268	204	237
1943.....	178	169	180	1951.....	252	248	241
1944.....	168	185	163	1952.....	373	351	263
1945.....	260	244	179	1953.....	296	299	271
1946.....	216	264	131	1954.....	360	305	326
1947.....	188	176	143	1955.....	316	301	341
1948.....	132	140	135	3 quarters of 1956..	253	245	349

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	55	67	53	1949.....	75	56	86
1942.....	70	51	72	1950.....	89	66	109
1943.....	43	60	55	1951.....	102	90	121
1944.....	22	31	46	1952.....	133	106	148
1945.....	24	19	51	1953.....	103	98	153
1946.....	34	28	57	1954.....	120	93	189
1947.....	41	36	62	1955.....	119	102	206
1948.....	46	41	67	3 quarters of 1956..	122	112	216

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses]

Fiscal year	Commenced	Termi- nated	Pending June 30	Fiscal year	Commenced	Termi- nated	Pending June 30
1941.....	195	191	58	1950.....	179 (12)	138	128
1942.....	138	97	99	1951.....	150 (8)	158	120
1943.....	135 (29)	109	125	1952.....	240 (83)	245	115
1944.....	146 (39)	154	117	1953.....	193 (11)	190	118
1945.....	236 (97)	225	128	1954.....	231	212	137
1946.....	182 (88)	236	74	1955.....	197	199	135
1947.....	147 (69)	140	81	3 quarters of 1956..	131	133	133
1948.....	86 (16)	99	68				
1949.....	135 (19)	116	87				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com- menced	Termi- nated	Pending, June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	519	523	66	1949.....	643	542	171
1942.....	461	463	64	1950.....	730	710	204
1943.....	605	615	54	1951.....	635	703	142
1944.....	691	683	62	1952.....	622	575	109
1945.....	845	801	106	1953.....	561	588	89
1946.....	463	499	70	1954.....	560	548	97
1947.....	449	454	62	1955.....	595	599	79
1948.....	350	357	61	3 quarters of 1956..	470	399	136

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		North Carolina (eastern)	National average ²	North Carolina (eastern)	National average ²	North Carolina (eastern)	National average ²
1941	1	250	164	55	82	519	153
1942	1	208	168	70	77	461	161
1943	1	178	158	43	58	605	174
1944	1	168	169	22	56	691	184
1945	1	260	295	24	57	845	176
1946	1	216	321	34	70	463	142
1947	1	188	271	41	109	449	134
1948	1	132	205	46	117	350	123
1949	1	210	238	75	121	643	123
1950	1	268	222	89	113	729	116
1951	1	252	204	102	111	635	106
1952	1	373	236	133	126	522	112
1953	1	296	261	103	146	561	114
1954	1	360	210	129	127	560	103
1955	1	316	212	119	126	595	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried* ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		North Carolina (eastern)	National median	North Carolina (eastern)	National median
1945	16		9.0		5.3
1946	20		8.9		5.0
1947	15		9.0		5.1
1948	20		9.9		5.8
1949	17		10.4		5.9
1950	19		11.2		6.7
1951	26	12.4	12.2	9.8	7.3
1952	29	11.4	12.1	6.6	7.0
1953	30	14.9	12.4	7.2	7.4
1954	32	14.2	13.5	7.8	8.1
1955	25	15.8	14.6	10.9	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	North Carolina (eastern)	86 districts
Civil cases:		
Total cases.....	316	212
United States cases.....	197	86
Private cases.....	119	126
United States cases:		
United States plaintiff.....	176	68
Land condemnation.....	6	3
Fair Labor Standards Act.....	1	2
Other enforcement suits.....	3	3
Food and Drug Act.....	7	5
Liquor laws.....	43	2
Other forfeitures and penalties.....	6	4
Negotiable instruments.....	42	25
Other contracts.....	61	16
Other United States plaintiff.....	7	8
United States defendant.....	21	17
Enjoin Federal agencies.....	3	3
Habeas corpus.....		4
Tort Claims Act.....	11	4
Tax suits.....	3	4
Other United States defendant.....	4	3
Private cases:		
Federal question.....	20	31
Copyright.....		1
Employers' Liability Act.....	2	6
Fair Labor Standards Act.....	1	1
Habeas corpus.....		3
Jones Act.....		9
Miller Act.....	8	1
Patent.....	3	3
Other Federal question.....	6	7
Diversity of citizenship.....	83	84
Insurance.....	16	14
Other contracts.....	9	15
Real property.....	2	3
Personal injury (motor vehicle).....	43	32
Personal injury (other).....	8	15
Other diversity.....	5	5
Admiralty.....	16	11
Criminal cases (less immigration).....	595	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials com- menced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	185	41	33	8	144	119	25
1952.....	191	47	27	20	144	119	25
1953.....	211	52	41	11	159	144	15
1954.....	260	53	41	12	207	182	25
1955.....	302	56	52	4	246	205	41

Table 6—Continued

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		North Carolina (eastern)	National average ¹	North Carolina (eastern)	National average ¹	North Carolina (eastern)	National average ¹
1951.....	1	185	39	41	28	144	11
1952.....	1	191	40	47	27	144	13
1953.....	1	211	44	52	29	159	15
1954.....	1	260	40	53	25	207	15
1955.....	1	302	41	56	26	246	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	North Carolina (eastern)	National average
Total civil cases.....	341	258
United States civil cases.....	135	89
Private civil cases.....	206	169
United States plaintiff.....	109	58
Land condemnation.....	19	13
Antitrust.....		
Other enforcement suits.....	4	8
Forfeitures and penalties.....	15	4
Negotiable instruments.....	19	13
Other contracts.....	42	13
Other United States plaintiff.....	10	7
United States defendant.....	26	31
Tort Claims Act.....	12	7
Tax suits.....	4	8
Other United States defendant.....	10	16
Federal question.....	30	47
Antitrust.....	2	2
Copyright.....		2
FELA.....	2	8
Jones Act.....		18
Patent.....	5	5
Other Federal question.....	21	12
Diversity of citizenship.....	152	98
Insurance.....	21	10
Other contracts.....	19	20
Real property.....	3	2
Personal injury (motor vehicle).....	76	34
Personal injury (other).....	16	21
Other diversity.....	17	11
Admiralty.....	24	24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	341	124	65	69	44	20	7	12
United States civil.....	135	61	29	20	13	5	4	3
United States plaintiff.....	109	50	23	13	11	5	4	3
United States defendant.....	26	11	6	7	2			
Private civil.....	206	63	36	49	31	15	3	9
Federal question.....	30	11	4	4	5	3	1	2
Diversity.....	152	47	27	40	17	12	2	7
Admiralty.....	24	5	5	5	9			

MIDDLE DISTRICT OF NORTH CAROLINA

TABLE 1.—Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

TOTAL CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	128	138	55	1949.....	160	134	80
1942.....	129	122	62	1950.....	150	161	69
1943.....	105	102	65	1951.....	141	130	80
1944.....	86	98	53	1952.....	225	188	117
1945.....	176	149	80	1953.....	257	230	144
1946.....	136	155	61	1954.....	269	265	148
1947.....	143	131	73	1955.....	190	169	169
1948.....	116	135	54	3 quarters of 1956..	139	169	139

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	38	45	34	1949.....	42	23	36
1942.....	38	38	34	1950.....	50	49	37
1943.....	27	34	27	1951.....	51	48	40
1944.....	14	23	18	1952.....	61	42	59
1945.....	20	23	15	1953.....	74	63	70
1946.....	25	16	24	1954.....	79	85	64
1947.....	40	36	28	1955.....	56	44	76
1948.....	23	34	17	3 quarters of 1956..	52	58	70

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	90	93	21	1950.....	100 (9)	112	32
1942.....	91	84	28	1951.....	90 (—)	82	40
1943.....	78 (6)	68	38	1952.....	164 (19)	146	58
1944.....	72 (16)	75	35	1953.....	183 (8)	167	74
1945.....	156 (71)	126	65	1954.....	190	180	84
1946.....	111 (51)	139	37	1955.....	134	125	93
1947.....	103 (34)	95	45	3 quarters of 1956.....	87	111	69
1948.....	93 (8)	101	37				
1949.....	118 (12)	111	44				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	527	529	103	1949.....	424	422	105
1942.....	436	379	161	1950.....	454	408	143
1943.....	503	482	182	1951.....	523	527	131
1944.....	645	675	152	1952.....	561	517	144
1945.....	609	597	164	1953.....	529	534	123
1946.....	392	452	104	1954.....	623	530	199
1947.....	351	368	80	1955.....	461	472	184
1948.....	341	298	111	3 quarters of 1956.....	337	343	173

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		North Carolina (middle)	National average ²	North Carolina (middle)	National average ²	North Carolina (middle)	National average ²
1941.....	1	128	164	38	82	527	153
1942.....	1	129	168	38	77	436	161
1943.....	1	105	158	27	58	503	174
1944.....	1	86	169	14	56	645	184
1945.....	1	176	295	20	57	609	176
1946.....	1	136	321	25	70	392	142
1947.....	1	143	271	40	109	351	134
1948.....	1	116	205	23	117	341	123
1949.....	1	160	238	42	121	424	123
1950.....	1	150	222	50	113	454	116
1951.....	1	141	204	51	111	523	106
1952.....	1	225	236	61	126	561	112
1953.....	1	257	261	74	146	529	114
1954.....	1	269	210	79	127	623	103
1955.....	1	190	212	56	126	461	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried*¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		North Carolina (middle)	National median	North Carolina (middle)	National median
1945	10		9.0		5.3
1946	24		8.9		5.0
1947	12		9.0		5.1
1948	19		9.9		5.8
1949	8		10.4		5.9
1950	15		11.2		6.7
1951	18		12.2		7.3
1952	23		12.1		7.0
1953	16	*8.7	12.4	*6.2	7.4
1954	32	9.3	13.5	6.3	8.1
1955	15	*9.2	14.6	*6.0	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945-52 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—*Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955*

	North Carolina (middle)	86 districts
Civil cases:		
Total cases	190	212
United States cases	134	86
Private cases	56	126
United States plaintiff	120	68
Land condemnation	1	3
Fair Labor Standards Act	2	2
Other enforcement suits		3
Food and Drug Act	3	5
Liquor laws	30	2
Other forfeitures and penalties	6	4
Negotiable instruments	27	25
Other contracts	47	16
Other United States plaintiff	4	8
United States defendant	14	17
Enjoin Federal agencies	1	3
Habeas corpus		4
Tort Claims Act	4	4
Tax suits	9	4
Other United States defendant		3
Private cases:	12	31
Federal question		1
Copyright		6
Employers' Liability Act		1
Fair Labor Standards Act		3
Habeas corpus		9
Jones Act		1
Miller Act		3
Patent	7	7
Other Federal question	5	
Diversity of citizenship	44	84
Insurance	9	14
Other contracts	15	15
Real property	1	3
Personal injury (motor vehicle)	10	32
Personal injury (other)	7	15
Other diversity	2	5
Admiralty		11
Criminal cases (less immigration)	461	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951-----	107	21	12	9	86	42	44
1952-----	129	25	18	7	104	60	44
1953-----	116	21	17	4	95	60	35
1954-----	137	35	23	12	102	53	49
1955-----	108	21	14	7	87	55	32

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		North Carolina (middle)	National average ¹	North Carolina (middle)	National average ¹	North Carolina (middle)	National average ¹
1951-----	1	107	39	21	28	86	11
1952-----	1	129	40	25	27	104	13
1953-----	1	116	44	21	29	95	15
1954-----	1	137	40	35	25	102	15
1955-----	1	108	41	21	26	87	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	North Carolina (middle)	National average
Total civil cases-----	169	258
United States civil cases-----	93	89
Private civil cases-----	76	169
United States plaintiff-----	74	58
Land condemnation-----	2	13
Antitrust-----	2	8
Other enforcement suits-----	13	4
Forfeitures and penalties-----	6	13
Negotiable instruments-----	45	13
Other contracts-----	6	7
Other United States plaintiff-----	19	31
United States defendant-----	4	7
Tort Claims Act-----	15	8
Tax suits-----	16	16
Other United States defendant-----	30	47
Federal question-----	24	5
Antitrust-----	6	12
Copyright-----	46	98
FELA-----	9	10
Jones Act-----	14	20
Patent-----	2	2
Other Federal question-----	4	34
Diversity of citizenship-----	6	21
Insurance-----	13	11
Other contracts-----	24	24
Real property-----	9	10
Personal injury (motor vehicle)-----	14	20
Personal injury (other)-----	2	2
Other diversity-----	4	34
Admiralty-----	6	21
	13	11

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 year	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	169	76	34	31	11	9	3	5
United States civil.....	93	51	17	14	3	4	2	2
United States plaintiff.....	74	46	12	10	2	1	2	1
United States defendant.....	19	5	5	4	1	3	—	1
Private civil.....	76	25	17	17	8	5	1	3
Federal question.....	30	5	4	8	7	5	1	—
Diversity.....	46	20	13	9	1	—	—	3
Admiralty.....	—	—	—	—	—	—	—	—

WESTERN DISTRICT OF NORTH CAROLINA

TABLE 1.—Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

TOTAL CIVIL CASES

Fiscal year	Com-menced	Terminated	Pending June 30	Fiscal year	Com-menced	Terminated	Pending June 30
1941.....	183	195	140	1949.....	242	246	136
1942.....	195	176	159	1950.....	166	150	152
1943.....	119	156	122	1951.....	168	167	153
1944.....	156	129	149	1952.....	193	159	187
1945.....	220	150	219	1953.....	208	198	197
1946.....	149	173	195	1954.....	212	199	210
1947.....	158	186	167	1955.....	170	216	164
1948.....	153	180	140	3 quarters of 1956..	136	145	155

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Terminated	Pending June 30	Fiscal year	Com-menced	Terminated	Pending June 30
1941.....	47	65	55	1949.....	76	78	57
1942.....	55	63	47	1950.....	59	55	61
1943.....	23	38	32	1951.....	69	52	78
1944.....	25	26	31	1952.....	69	58	89
1945.....	29	22	38	1953.....	85	72	102
1946.....	27	23	42	1954.....	84	74	112
1947.....	31	26	47	1955.....	88	87	113
1948.....	60	48	59	3 quarters of 1956..	70	83	100

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	136	130	85	1950.....	107 (19)	95	91
1942.....	140	113	112	1951.....	99 (—)	115	75
1943.....	96 (1)	118	90	1952.....	124 (11)	101	98
1944.....	131 (—)	103	118	1953.....	123 (3)	126	95
1945.....	191 (60)	128	181	1954.....	128	125	98
1946.....	122 (42)	150	153	1955.....	82	129	51
1947.....	127 (42)	160	120	3 quarters of 1956.....	66	62	55
1948.....	93 (19)	132	81				
1949.....	166 (33)	168	79				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	513	475	229	1949.....	337	371	112
1942.....	515	536	208	1950.....	392	360	141
1943.....	355	413	150	1951.....	316	361	97
1944.....	450	439	161	1952.....	326	339	88
1945.....	396	386	171	1953.....	454	424	117
1946.....	320	337	154	1954.....	406	400	132
1947.....	406	384	179	1955.....	490	453	166
1948.....	338	370	147	3 quarters of 1956.....	317	305	187

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		North Carolina (western)	National average ²	North Carolina (western)	National average ²	North Carolina (western)	National average ²
1941.....	1	183	164	47	82	513	153
1942.....	1	195	168	55	77	515	161
1943.....	1	119	158	23	58	355	174
1944.....	1	156	169	25	56	450	184
1945.....	1	220	295	29	57	396	176
1946.....	1	149	321	27	70	320	142
1947.....	1	158	271	31	109	406	134
1948.....	1	153	205	60	117	338	123
1949.....	1	242	238	76	121	337	116
1950.....	1	166	222	59	113	392	106
1951.....	1	168	204	69	111	316	112
1952.....	1	193	236	69	126	326	114
1953.....	1	208	261	85	146	454	103
1954.....	1	212	210	84	127	406	104
1955.....	1	170	212	88	126	490	

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—Time elapsing in civil cases tried ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		North Carolina (western)	National median	North Carolina (western)	National median
1945	9		9.0		5.3
1946	8		8.9		5.0
1947	8		9.0		5.1
1948	19		9.9		5.8
1949	31	6.9	10.4	4.9	5.9
1950	14		11.2		6.7
1951	23		12.2		7.3
1952	17		12.1		7.0
1953	23	*11.9	12.4	*8.6	7.4
1954	18	*12.4	13.5	*9.3	8.1
1955	33	13.4	14.6	9.5	.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	North Carolina (western)	86 districts
Civil cases:		
Total cases	170	212
United States cases	82	86
Private cases	88	126
United States cases:		
United States plaintiff	73	68
Land condemnation		3
Fair Labor Standards Act	2	2
Other enforcement suits		3
Food and Drug Act	2	5
Liquor laws	9	2
Other forfeitures and penalties	1	4
Negotiable instruments	18	25
Other contracts	37	16
Other United States plaintiff	4	8
United States defendant	9	17
Enjoin Federal agencies		3
Habeas corpus	4	4
Tort Claims Act	1	4
Tax suits	4	
Other United States defendant		3
Private cases:		
Federal question	14	31
Copyright	2	1
Employers' Liability Act	1	6
Fair Labor Standards Act		1
Habeas corpus		3
Jones Act		9
Miller Act		1
Patent	4	3
Other Federal question	7	7
Diversity of citizenship	74	84
Insurance	4	14
Other contracts	18	15
Real property		3
Personal injury (motor vehicle)	33	32
Personal injury (other)	12	15
Other diversity	7	5
Admiralty		11
Criminal cases (less immigration)	490	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	75	17	13	4	58	51	7
1952.....	84	15	11	4	69	53	16
1953.....	140	42	35	7	98	84	14
1954.....	122	22	21	1	100	77	23
1955.....	133	33	21	12	100	75	25

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		North Carolina (western)	National average ¹	North Carolina (western)	National average ¹	North Carolina (western)	National average ¹
1951.....	1	75	39	17	28	58	11
1952.....	1	84	40	15	27	69	13
1953.....	1	140	44	42	29	98	15
1954.....	1	122	40	22	25	100	15
1955.....	1	133	41	33	26	100	15

*This column includes 86 districts

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	North Carolina (western)	National average
Total civil cases.....	164	258
United States civil cases.....	51	89
Private civil cases.....	113	169
United States plaintiff.....	38	58
Land condemnation.....	10	13
Antitrust.....	1	8
Other enforcement suits.....	5	4
Forfeitures and penalties.....	6	13
Negotiable instruments.....	10	13
Other contracts.....	6	7
Other United States plaintiff.....		
United States defendant.....	13	31
Tort Claims Act.....	2	7
Tax suits.....	6	8
Other United States defendant.....	5	16
Federal question.....	19	47
Antitrust.....	3	2
Copyright.....	1	2
FELA.....	1	8
Jones Act.....		18
Patent.....	4	5
Other Federal question.....	10	12
Diversity of citizenship.....	94	98
Insurance.....	6	10
Other contracts.....	24	20
Real property.....		2
Personal injury (motor vehicle).....	31	34
Personal injury (other).....	14	21
Other diversity.....	19	11
Admiralty.....		24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	164	69	22	26	18	7	8	14
United States civil.....	51	17	6	8	4	3	3	10
United States plaintiff.....	38	12	5	6	3	3	1	8
United States defendant.....	13	5	1	2	1	—	2	2
Private civil.....	113	52	16	18	14	4	5	4
Federal question.....	19	7	2	6	3	—	—	1
Diversity.....	94	45	14	12	11	4	5	3
Admiralty.....	—	—	—	—	—	—	—	—

NORTHERN DISTRICT OF OHIO

This bill would provide one additional judge for the northern district of Ohio. This would increase the number of judges in the district from 5 to 6. The Judicial Code of 1911 approved two district judges for the northern district of Ohio. In 1922 an additional temporary judge was authorized and was made permanent in 1935. An additional temporary judge was then created in 1941 and was made permanent in 1949. The fifth judgeship was authorized in 1954.

The district is divided into 2 divisions, the eastern and the western, and at the present time 4 of the judges reside in Cleveland, which is the headquarters for the eastern division, and a fifth judge resides in Toledo, the headquarters for the western division.

The caseload of civil cases in this district has almost doubled since 1941, at which time it was 661 cases. In the fiscal year 1954, the figure had increased to 1,022. The year 1955 showed a slight decrease to 945. The backlog of pending cases in 1955 was 1,619, which was the highest number of civil cases pending since 1941. The civil caseload per judgeship in this district has exceeded the national average in each of the last 9 fiscal years, with the exception of the fiscal year 1954. In 1953 it was 322, compared with a national average of 261. The following year it was reduced to 267, and the appointment of the fifth judge dropped it to 204, which is just below the annual figure of 210.

In recent years this district has been the situs of a large number of Government and antitrust cases and a particularly high number of patent cases. Some of these cases have been pending for more than 2 years. It is these types of cases which are the most time-consuming of all since they usually require long and tedious trial work, and have caused the arrerage on the dockets and the resultant congestion therefrom. The time required to dispose of the cases far exceeds the national median.

The Judicial Conference of the United States and the Department of Justice recommend the creation of this additional judgeship for the northern district of Ohio. An analysis of the judicial business of the district is contained in the attached memorandum prepared by the Administrative Office of the United States Courts.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OHIO

While the number of judgeships in this district in the last 14 years has been increased by only 1, from 4 to 5, the civil caseload has almost doubled from 661 in 1941 to an annual average of 1,191 for the last 3 fiscal years. The number of criminal cases has remained about the same, 347 in 1954 as compared with 366 in 1941.

With the exception of the fiscal year 1954 the civil caseload per judgeship in this district has exceeded the national average in each of the last 9 fiscal years and in 1953 it was 322 compared with the national average of 261. However, in 1954 there was a decrease of 267 in the number of cases filed as compared with the previous year by reason of the expiration of rent and price controls under the Defense Production Act of 1950, and the consequent cessation of the filing of cases under that law. With the appointment of a fifth judge, the civil caseload dropped to 204, just slightly below the 210 civil cases commenced per judgeship nationally. The private civil caseload in 1954 was 127, which is exactly equal to the national average.

The caseload of incoming cases, however, does not by itself present a complete picture. In recent years there has been a heavy load of Government and private antitrust litigation and a larger than average amount of patent work. On June 30, 1954, there were 4 Government antitrust suits on the dockets and 43 private antitrust suits, 33 of which had been pending for more than 2 years. There were 39 patent cases pending. These and other types of private civil cases require a greater than average amount of judicial time for disposition and in the last 14 fiscal years the private civil caseload in the northern district of Ohio has equaled and in some years has greatly exceeded the national average. As a result there are arrearages on the dockets and congestion has resulted. On June 30, 1954, there were 1,615 civil cases pending as compared to 584 on June 30, 1941.

This is reflected in the time intervals for the disposition of cases by trial. During the fiscal year 1954 the median time interval from the filing to the disposition of cases terminated after trial was 27.9 months, or over twice the national median of 13.5 months. The interval from issue to trial was 15.0 months compared to the national median of 8.1 months.

The docket congestion, however, is in the eastern division at Cleveland, where the caseload per judge has been substantially higher than in the western division although even there the caseload in recent years has been average or above average. In 1954 the median time from filing to disposition of cases tried in Cleveland was 30.7 months and from issue to trial 22.3 months.

Separate tables are attached showing the filing and disposition of cases in the eastern and western divisions since 1941. Judge Kloeb at Toledo in the western district has managed to keep his dockets current in spite of several long and burdensome antitrust cases involving the glass industry which took a great deal of judicial time a few years ago. However he has had no time to devote to helping out the eastern division.

The judges of the eastern division at Cleveland—Judges Jones, Freed, McNamee, and Connell—are laboring against a civil caseload which has practically doubled since the war. Moreover that court

has not been fully staffed for considerable periods of time. Following Judge Wilkin's retirement on August 31, 1949, there was a vacancy for 18 months which was finally filled by the appointment of Judge McNamee on March 9, 1951. The position now occupied by Judge Connell was vacant for 6 months following the passage of the act of February 10, 1954. The division has had its share of antitrust cases and other protracted litigation and in spite of the earnest efforts of its able judges and some help from visiting judges it has fallen far behind in the disposition of cases on its docket, so that in 1954 its median time from filing its disposition of cases tried was exceeded only by the southern and eastern districts of New York. Additional judgepower in this division is essential to bring the civil dockets up to date.

The number of total civil, private civil, and criminal cases commenced and terminated during the first half of the fiscal years 1954 and 1955 and the number pending at the end of the first of each year were as follows:

Fiscal year	Commenced	Terminated	Pending at end of 1st half
Total civil:			
1st half of 1954.....	484	484	1,612
1st half of 1955.....	465	375	1,705
Private civil:			
1st half of 1954.....	343	198	1,216
1st half of 1955.....	342	258	1,277
Criminal:			
1st half of 1954.....	155	147	80
1st half of 1955.....	171	164	80

While the civil dockets in the city of Cleveland are congested, the criminal dockets are current because of the priority which they are entitled to and receive. In Toledo, the dispatch with which criminal cases are handled is especially noteworthy. As of December 31, 1954, there were but 10 cases pending on the criminal docket there.

Complete statistical tables concerning the civil and criminal cases in the northern district of Ohio for the last 14 fiscal years are attached.

NORTHERN DISTRICT OF OHIO

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES							
Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	661	665	584	1949.....	1,176	921	1,025
1942.....	627	684	527	1950.....	1,125	1,009	1,141
1943.....	771	690	608	1951.....	1,017	931	1,227
1944.....	635	656	587	1952.....	1,261	974	1,514
1945.....	956	777	766	1953.....	1,289	1,200	1,612
1946.....	1,339	1,320	785	1954.....	1,022	1,019	1,615
1947.....	1,149	1,029	905	1955.....	946	942	1,619
1948.....	876	1,011	770	3 quarters of 1956..	887	949	1,557

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941—Continued*

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941-----	396	418	463	1949-----	639	469	648
1942-----	337	438	362	1950-----	671	518	801
1943-----	356	381	337	1951-----	593	461	933
1944-----	256	292	301	1952-----	732	565	1,100
1945-----	242	267	276	1953-----	583	612	1,071
1946-----	291	243	324	1954-----	633	511	1,193
1947-----	488	323	489	1955-----	629	617	1,205
1948-----	515	526	478	3 quarters of 1956--	439	446	1,198

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	265	247	121	1950-----	454 (206)	491	340
1942-----	290	246	165	1951-----	424 (153)	470	294
1943-----	415 (106)	309	271	1952-----	529 (230)	409	414
1944-----	379 (143)	364	286	1953-----	715 (303)	588	541
1945-----	714 (532)	510	490	1954-----	389	508	422
1946-----	1,048 (803)	1,077	461	1955-----	317	325	414
1947-----	661 (439)	706	416	3 quarters of 1956--	448	503	359
1948-----	361 (145)	485	292				
1949-----	537 (266)	452	377				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com-menced	Termi-nated	Pending, June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941-----	366	343	149	1949-----	343	372	18
1942-----	364	354	159	1950-----	320	320	26
1943-----	373	381	151	1951-----	324	337	29
1944-----	631	631	151	1952-----	406	413	31
1945-----	488	478	161	1953-----	339	330	64
1946-----	370	488	43	1954-----	347	358	69
1947-----	329	315	62	1955-----	368	383	64
1948-----	290	340	28	3 quarters of 1956--	296	257	120

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Ohio (northern)	National average ²	Ohio (northern)	National average ²	Ohio (northern)	National average ²
1941-----	4	166	164	99	82	92	153
1942-----	4	157	168	84	77	91	161
1943-----	4	193	158	89	58	93	174
1944-----	4	159	169	64	56	157	184
1945-----	4	239	295	61	57	122	176
1946-----	4	335	321	73	70	93	142
1947-----	4	287	271	122	109	82	134
1948-----	4	219	205	129	117	73	123
1949-----	4	294	238	160	121	86	123
1950-----	4	281	222	168	113	80	116
1951-----	4	254	204	148	111	81	106
1952-----	4	315	236	183	126	101	112
1953-----	4	322	261	146	146	83	114
1954-----	5	204	210	127	127	69	103
1955-----	5	189	212	126	126	73	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried* ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Ohio (northern)	National median	Ohio (northern)	National median
1945-----	47	17.0	9.0	11.5	5.3
1946-----	56	13.4	8.9	8.1	5.0
1947-----	85	12.5	9.0	7.4	5.1
1948-----	77	12.9	9.9	6.6	5.8
1949-----	57	11.0	10.4	6.5	5.9
1950-----	118	14.7	11.2	9.9	6.7
1951-----	82	17.7	12.2	11.3	7.3
1952-----	57	21.1	12.1	12.4	7.0
1953-----	101	21.4	12.4	12.9	7.4
1954-----	63	27.9	13.5	15.0	8.1
1955-----	61	33.2	14.6	15.8	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955

	Ohio (northern)	86 districts
Civil cases:		
Total cases.....	189	212
United States cases.....	63	86
Private cases.....	126	126
United States cases:		
United States plaintiff.....	52	68
Land condemnation.....	1	3
Fair Labor Standards Act.....	4	2
Other enforcement suits.....	6	3
Food and Drug Act.....	4	5
Liquor laws.....		2
Other forfeitures and penalties.....	7	4
Negotiable instruments.....	10	25
Other contracts.....	13	16
Other United States plaintiff.....	6	8
United States defendant.....	11	17
Enjoin Federal agencies.....	2	3
Habeas corpus.....	2	4
Tort Claims Act.....	2	4
Tax suits.....	3	4
Other United States defendant.....	2	3
Private cases:		
Federal question.....	39	31
Copyright.....		1
Employers' Liability Act.....	15	6
Fair Labor Standards Act.....		1
Habeas corpus.....		3
Jones Act.....	9	9
Miller Act.....		1
Patent.....	5	3
Other Federal question.....	9	7
Diversity of citizenship.....	84	84
Insurance.....	5	14
Other contracts.....	16	15
Real property.....	1	3
Personal injury (motor vehicle).....	42	32
Personal injury (other).....	16	15
Other diversity.....	3	5
Admiralty.....	3	11
Criminal cases (less immigration).....	73	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	100	74	46	28	26	19	7
1952.....	106	63	37	26	43	24	19
1953.....	156	100	59	41	56	42	14
1954.....	109	70	42	28	39	25	14
1955.....	95	70	31	39	25	12	13

Table 6—Continued

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Ohio (northern)	National average ¹	Ohio (northern)	National average ¹	Ohio (northern)	National average ¹
1951.....	4	25	39	19	28	7	11
1952.....	4	27	40	16	27	11	13
1953.....	4	39	44	25	29	14	15
1954.....	5	22	40	14	25	8	15
1955.....	5	19	41	14	26	5	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Ohio (northern)	National average
Total civil cases.....	324	258
United States civil cases.....	83	89
Private civil cases.....	241	169
United States plaintiff.....	60	58
Land condemnation.....	8	13
Antitrust.....	1	
Other enforcement suits.....	27	8
Forfeitures and penalties.....	5	4
Negotiable instruments.....	7	13
Other contracts.....	8	13
Other United States plaintiff.....	3	7
United States defendant.....	23	31
Tort Claims Act.....	4	7
Tax suits.....	11	8
Other United States defendant.....	7	16
Federal question.....	73	47
Antitrust.....	9	2
Copyright.....		2
FELA.....	31	8
Jones Act.....	10	18
Patent.....	10	5
Other Federal question.....	13	12
Diversity of citizenship.....	165	98
Insurance.....	8	10
Other contracts.....	23	20
Real property.....	1	2
Personal injury (motor vehicle).....	72	34
Personal injury (other).....	48	21
Other diversity.....	12	11
Admiralty.....	4	24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	1,619	358	253	397	307	198	31	75
United States civil.....	414	104	36	54	136	33	10	41
United States plaintiff.....	299	75	22	35	109	18	9	31
United States defendant.....	115	29	14	19	27	15	1	10
Private civil.....	1,205	254	217	343	171	165	21	34
Federal question.....	363	64	84	110	51	48	1	5
Diversity.....	824	186	124	229	119	117	20	29
Admiralty.....	18	4	9	4	1			

EASTERN DISTRICT OF PENNSYLVANIA

Under the bill, two additional judges are authorized for the eastern district of Pennsylvania. At the present time there are eight judgeships authorized for the district.

In 1940, four judges were authorized for the eastern district, when a fifth judgeship on a temporary basis was authorized. That judgeship was made permanent in 1946. In 1949, two more judges were authorized for the district and in 1954 another one was authorized.

The present place of holding court in the district is the city of Philadelphia, but the district also encompasses the Allentown-Bethlehem-Easton area wherein there is a heavy concentration of population and industry. Over the years since 1941 the backlog of civil cases has risen from 787 to 4,472 at the close of the fiscal year 1955. In recent years over 2,000 cases have been commenced annually, the majority of which are private civil cases.

The backlog of cases has resulted in a larger civil caseload per judge than the national average as has the private civil caseload. Over the years, the median time intervals for cases tried in this district has been on the increase. At the present time the figure from filing to disposition is 31.6 months and from issue to trial it is 24.8. These are the highest figures since 1945.

These two judgeships have been recommended and approved by the Judicial Conference of the United States and the Department of Justice. A memorandum of the judicial business of the district submitted by the Administrative Office of the United States Court sets forth the statistical situation under which these additional judges are needed and is attached hereto.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The principal place of holding court in the district is the city of Philadelphia, one of the largest centers of population in the country and the district also embraces the Allentown-Bethlehem-Easton area which is also very heavily populated. In the years since the war private civil litigation in the district has increased rapidly. From a

figure of 399 cases commenced during the fiscal year 1945 the private civil caseload went to 1,081 in 1947 and during 1955 there were 1,358 such cases commenced. In that year the private civil caseload per judgeship of cases filed stood at 170 compared to the national average of 126 cases per judgeship. The pending civil caseload of 4,619 civil cases on September 30, 1955, $4\frac{1}{2}$ times the number disposed of in the fiscal year 1955, indicates the present disastrous condition of the civil dockets.

The district has considerably more than its share of negligence cases which include a number of different kinds of actions which are usually tried to a jury and these have been on the increase. Since 1948, personal injury negligence cases brought under the diversity of citizenship jurisdiction have increased from an annual volume of 263 to 458, which is the 1955 figure. This amounts to 57 cases per judgeship compared with the national average of 47. One hundred and three Employers' Liability Act cases involving injuries to railroad employees were brought in this district in 1955, or 13 per judgeship compared with the national average of 6, and 253 Jones Act cases involving injury to seamen or 32 per judgeship compared with the national average of 9. The large delays in getting to trial have inevitably worked hardships on litigants in these cases.

Private civil cases present a heavier burden than do other types of cases and the large caseloads have resulted in an increasing trend in pending civil cases. This trend has been steadily upward since 1943 as the following table shows:

Civil cases pending at the end of each fiscal year

Fiscal	Total civil	United States civil	Private civil
1943.....	795	325	470
1944.....	862	333	529
1945.....	1,131	533	598
1946.....	1,387	609	778
1947.....	1,782	616	1,166
1948.....	2,090	576	1,514
1949.....	2,490	635	1,855
1950.....	2,761	715	2,046
1951.....	2,912	775	2,137
1952.....	3,141	753	2,388
1953.....	3,568	842	2,726
1954.....	4,093	922	3,271
1955.....	4,472	1,018	3,454

The number of civil cases pending on June 30, 1955, was equivalent to 559 per judgeship, the third largest pending caseload per judge in the Nation and the pending private civil caseload per judgeship was 432, also the third largest nationally. These figures compare with national average of 258 pending civil cases per judgeship and 169 pending private civil cases.

In addition to the large civil caseload, which has exceeded the national average for the last nine fiscal years, vacancies in judicial positions have reduced the judgeship power and contributed to the rise in pending cases. However, at the present time all positions are filled, one by a recess appointment. The median time interval from filing to disposition of civil cases terminated by a trial during the fiscal year 1955 was 31.6 months compared to 14.6 months nationally and the interval from issue to trial was 24.8 months compared with a national

figure of 9.1 months. The steady rise in these intervals as shown below indicates an increasing docket congestion which has reached the point where it may amount to a denial of justice in some cases.

Median time intervals in months for cases tried in the eastern district of Pennsylvania

Fiscal year	Filing to disposition	Issue to trial	Fiscal year	Filing to disposition	Issue to trial
1945.....	11.6	6.9	1951.....	19.0	14.9
1946.....	12.1	7.5	1952.....	21.1	15.9
1947.....	13.2	8.7	1953.....	25.8	19.7
1948.....	13.7	10.3	1954.....	24.7	21.1
1949.....	15.3	12.6	1955.....	31.6	24.8
1950.....	17.8	12.8			

On June 30, 1955, there were 326 criminal cases pending, over a third of which could not be tried because of fugitive defendants. In the years since the war the number of criminal cases filed has remained fairly constant.

The following figures show the number of civil, private civil, and criminal cases commenced and terminated in this district for the first quarter of the fiscal year 1956 as compared with the same period in 1955, and the number pending at the end of each period.

Fiscal year	Commenced	Terminated	Pending at end of the 1st quarter
Total civil:			
1st quarter 1955.....	697	497	4,293
1st quarter 1956.....	502	355	4,619
Private civil:			
1st quarter 1955.....	350	166	3,355
1st quarter 1956.....	353	217	3,590
Criminal:			
1st quarter 1955.....	112	96	327
1st quarter 1956.....	73	80	322

With a backlog of over 4,000 civil cases, a civil caseload per judge of cases filed larger than the national average and a private civil caseload over a third larger than the average, the 2 additional judgeships for this district, as recommended by the Judicial Conference of the United States, are a pressing necessity.

Complete statistical tables showing the number of civil and criminal cases in the district for the last 15 years are attached.

EASTERN DISTRICT OF PENNSYLVANIA

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES							
Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	796	884	787	1949.....	1,607	1,207	2,490
1942.....	1,169	1,216	740	1950.....	1,701	1,430	2,761
1943.....	788	733	795	1951.....	1,689	1,538	2,912
1944.....	720	653	862	1952.....	1,821	1,592	3,141
1945.....	1,458	1,189	1,131	1953.....	1,969	1,542	3,568
1946.....	1,501	1,245	1,387	1954.....	2,148	1,623	4,093
1947.....	1,730	1,335	1,782	1955.....	2,348	1,969	4,472
1948.....	1,489	1,181	2,090	3 quarters of 1956..	1,494	1,622	4,344

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending, June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	454	583	538	1949.....	1,156	815	1,855
1942.....	431	483	486	1950.....	1,233	1,042	2,046
1943.....	344	360	470	1951.....	1,234	1,143	2,137
1944.....	319	260	529	1952.....	1,392	1,141	2,388
1945.....	399	330	598	1953.....	1,493	1,155	2,726
1946.....	553	373	778	1954.....	1,621	1,176	3,171
1947.....	1,081	693	1,166	1955.....	1,358	1,075	3,454
1948.....	1,087	739	1,514	3 quarters of 1956..	1,083	1,065	3,472

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	342	301	249	1950.....	468 (107)	388	715
1942.....	738	733	254	1951.....	455 (156)	395	775
1943.....	444 (11)	373	325	1952.....	429 (144)	451	753
1944.....	401 (80)	393	333	1953.....	476 (132)	387	842
1945.....	1,059 (754)	859	533	1954.....	527	447	922
1946.....	948 (545)	872	609	1955.....	990	894	1,018
1947.....	649 (318)	642	616	3 quarters of 1956..	411	557	872
1948.....	402 (92)	442	376				
1949.....	451 (152)	392	635				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com- menced	Termi- nated	Pending, June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	476	489	191	1949.....	506	551	296
1942.....	649	572	268	1950.....	490	556	244
1943.....	1,549	1,045	772	1951.....	437	467	206
1944.....	1,040	1,167	645	1952.....	552	510	247
1945.....	896	913	628	1953.....	470	427	303
1946.....	505	668	465	1954.....	467	479	309
1947.....	486	631	324	1955.....	546	535	326
1948.....	428	449	323	3 quarters of 1956..	313	353	303

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Pennsylvania (eastern)	National average ²	Pennsylvania (eastern)	National average ²	Pennsylvania (eastern)	National average ²
1941.....	5	159	164	91	82	95	153
1942.....	5	234	168	86	77	129	161
1943.....	5	158	158	69	58	308	174
1944.....	5	144	169	64	56	208	184
1945.....	5	292	295	80	57	179	176
1946.....	5	300	321	111	70	100	142
1947.....	5 1/2	326	271	204	109	90	134
1948.....	5 1/2	279	205	204	117	78	123
1949.....	5 1/2	301	238	217	121	92	123
1950.....	7 1/2	232	222	168	113	66	116
1951.....	7 1/2	230	204	168	111	56	106
1952.....	7 1/2	248	236	190	126	72	112
1953.....	7 1/2	269	261	204	146	62	114
1954.....	8 1/2	258	210	195	127	53	103
1955.....	8	294	212	170	126	65	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried* ¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Pennsylvania (eastern)	National median	Pennsylvania (eastern)	National median
1945.....	92	11.6	9.0	6.9	5.3
1946.....	93	12.1	8.9	7.5	5.0
1947.....	164	13.2	9.0	8.7	5.1
1948.....	153	13.7	9.9	10.3	5.8
1949.....	152	15.3	10.4	12.6	5.9
1950.....	143	17.8	11.2	12.8	6.7
1951.....	154	19.0	12.2	14.9	7.3
1952.....	173	21.1	12.1	15.9	7.0
1953.....	130	25.8	12.4	19.7	7.4
1954.....	107	24.7	13.5	21.1	8.1
1955.....	142	31.6	14.6	24.8	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Cases commenced per judgeship in this district and in 86 districts by nature of suit, fiscal year 1955

	Pennsylvania (eastern)	86 districts
Civil cases:		
Total cases.....	294	212
United States cases.....	124	86
Private cases.....	170	126
United States cases:		
United States plaintiff.....	109	68
Land condemnation.....	1	3
Fair Labor Standards Act.....	3	2
Other enforcement suits.....	6	3
Food and Drug Act.....	7	5
Liquor laws.....	1	2
Other forfeitures and penalties.....	1	4
Negotiable instruments.....	60	25
Other contracts.....	24	16
Other United States plaintiff.....	6	8
United States defendant.....	15	17
Enjoin Federal agencies.....	4	3
Habeas corpus.....	1	4
Tort Claims Act.....	3	4
Tax suits.....	4	4
Other United States defendant.....	4	3
Private cases:		
Federal question.....	62	31
Copyright.....	1	1
Employers' Liability Act.....	13	6
Fair Labor Standards Act.....	1	1
Habeas corpus.....	3	3
Jones Act.....	32	9
Miller Act.....	1	1
Patent.....	2	3
Other Federal question.....	10	7
Diversity of citizenship.....	84	84
Insurance.....	4	14
Other contracts.....	17	15
Real property.....	1	3
Personal injury (motor vehicle).....	39	32
Personal injury (other).....	19	15
Other diversity.....	5	5
Admiralty.....	24	11
Criminal cases (less immigration).....	65	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials com- menced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	238	182	86	96	56	17	39
1952.....	244	183	97	86	61	21	40
1953.....	181	120	48	72	61	12	49
1954.....	234	143	65	78	91	43	48
1955.....	216	144	59	85	72	30	42

Table 6—Continued

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Pennsylvania (eastern)	National average ¹	Pennsylvania (eastern)	National average ¹	Pennsylvania (eastern)	National average ¹
1951.....	7½	32	39	25	28	8	11
1952.....	7½	33	40	25	27	8	13
1953.....	7½	25	44	16	29	8	15
1954.....	8½	28	40	17	25	11	15
1955.....	8	27	41	18	26	9	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Pennsylvania (eastern)	National average
Total civil cases.....	559	258
United States civil cases.....	127	89
Private civil cases.....	432	169
United States plaintiff.....	87	58
Land condemnation.....	5	13
Antitrust.....		
Other enforcement suits.....	27	8
Forfeitures and penalties.....	5	4
Negotiable instruments.....	15	13
Other contracts.....	25	13
Other United States plaintiff.....	9	7
United States defendant.....	41	31
Tort Claims Act.....	5	7
Tax suits.....	14	8
Other United States defendant.....	22	16
Federal question.....	155	47
Antitrust.....	5	2
Copyright.....	2	2
FELA.....	32	8
Jones Act.....	79	18
Patent.....	7	5
Other Federal question.....	30	12
Diversity of citizenship.....	211	98
Insurance.....	8	10
Other contracts.....	43	20
Real property.....	2	2
Personal injury (motor vehicle).....	97	34
Personal injury (other).....	47	21
Other diversity.....	15	11
Admiralty.....	66	24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	4,472	841	732	1,228	726	361	203	381
United States civil.....	1,018	239	201	155	144	59	34	186
United States plaintiff.....	692	191	165	95	75	34	21	111
United States defendant.....	326	48	36	60	69	25	13	75
Private civil.....	3,454	602	531	1,073	582	302	169	195
Federal question.....	1,236	202	194	359	197	117	69	98
Diversity.....	1,690	319	253	528	308	142	83	57
Admiralty.....	528	81	84	186	77	43	17	46

NORTHERN DISTRICT OF TEXAS

The bill authorizes 1 additional district judge for the northern district of Texas, thus increasing the number of judges in that district from 3 to 4. Under the Judicial Code of 1911, one judge is provided for. In 1919, a second was authorized as a temporary judge, as was a third created in 1922. Both of these temporary positions were made permanent in 1935.

The court sits at Dallas, Fort Worth, Abilene, San Angelo, Amarillo, Wichita Falls, and Lubbock.

Since 1950 the caseload has been increasing steadily until it reached a caseload per judgeship of 491 in 1955, thus surpassing the national average of 212 cases per judge. At the close of the fiscal year 1955 there was a backlog of 580 civil cases pending, of which about 78 percent were private civil cases. During that year the court disposed of 1,400 civil cases as well as 409 criminal cases. The work done in this district in the disposition of cases is indicated by the fact that the median intervals from filing to disposition and from issue to trial were far under the national average. Nevertheless, it appears that despite such efforts the need for this additional judgeship is clearly shown by the fact that at the end of the three-quarter mark of 1956 there were pending 651 civil cases, which is the highest in the district since 1941.

This judgeship has been recommended by the Judicial Conference of the United States and the Department of Justice. Attached, as a part of this report, is a memorandum on the judicial business for the district prepared by the Administrative Office of the United States Courts.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS

Since 1945 the civil caseload in this district has been extremely heavy, with a caseload ranging from 478 civil cases per judgeship in that year to a low of 287 in 1950. Since then the caseload has been increasing steadily to 491 in 1955 compared to a national average in that year of 212 civil cases per judgeship. In 1945 almost two-thirds

of the civil cases filed were price- and rent-control suits which on the average did not require much court time for disposition, but in 1955 about 78 percent of the caseload consisted of time-consuming private civil litigation. This is a significant change in the character of the litigation and is an increased burden to the court.

The caseload of total civil and private civil cases commenced per judgeship in the northern district of Texas since 1945 compared with the national average is as follows:

Caseload of civil cases commenced per judgeship

Fiscal year	Total civil		Private civil	
	Texas (northern)	National average	Texas (northern)	National average
1945.....	478	295	105	57
1946.....	390	321	132	70
1947.....	347	271	160	109
1948.....	313	205	172	117
1949.....	418	238	193	121
1950.....	287	222	213	113
1951.....	364	204	282	111
1952.....	394	236	292	126
1953.....	431	261	326	146
1954.....	436	210	348	127
1955.....	491	212	385	126

Despite the volume of work, the judges have been able to maintain the dockets in a current condition. On June 30, 1955, there were 580 civil cases pending and the median interval from filing to disposition for civil cases terminated in 1955 in which trial was reached was only 4.4 months compared to the national median of 14.6 months and the interval from issue to trial was 3 months compared to the national median of 9.1 months. This is a remarkable achievement, but nonetheless the effects of a heavy caseload are beginning to be felt and the pending cases have been increasing for the last 3 years. The 580 civil cases pending on June 30, 1955, compared with only 226 on June 30, 1941.

Almost one-half of the civil actions commenced in this district in 1955 were workmen's compensation cases which are filed in large numbers in all the districts in Texas. A large percentage of these usually are tried. Other private civil cases have also increased so that the caseload of 385 private cases per judge in 1955 was over 3 times what it was in 1945 and over 3 times the average of 126 private civil cases commenced per judgeship nationally in 1955.

In addition to the large influx of civil cases the district has an average volume of criminal work. During the fiscal year 1955 there were 111 criminal cases filed per judgeship in the northern district of Texas as compared to the national average of 104 criminal cases per judge if the prosecutions for illegal immigration, which occur in large volume only in the districts on the Mexican border, are eliminated. The criminal dockets are current.

The trial work and more particularly the jury trial work in the district is burdensome. Last year there were 134 civil jury trials commenced in the northern district of Texas which is more than the number in any other district among the 86 United States district courts having solely Federal jurisdiction except the southern district

of New York and the northern district of Illinois. The number of trials begun each year for the last 6 fiscal years is as follows:

Civil and criminal trials begun in the northern district of Texas

Fiscal year	Total trials	Civil trials			Criminal trials		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1950.....	249	220	141	79	29	8	21
1951.....	212	179	72	107	33	8	25
1952.....	229	191	82	109	38	5	33
1953.....	252	208	87	121	44	8	36
1954.....	261	188	63	125	73	18	55
1955.....	281	190	56	134	41	3	38

The population of the district increased about 25 percent between 1940 and 1950 and it is larger than that of the southern district which has 4 judges. The population increase has been accompanied by a large industrial and commercial expansion.

Because of the large volume of cases to be handled and the mounting volume of trial work the Judicial Conference of the United States in March 1955 recommended the creation of an additional judgeship for the northern district of Texas.

Complete statistical tables showing the civil and criminal business of the district for the last 15 fiscal years are attached.

NORTHERN DISTRICT OF TEXAS

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	540	513	226	1949.....	1,253	1,261	441
1942.....	574	556	244	1950.....	860	972	329
1943.....	484	473	255	1951.....	1,093	970	452
1944.....	502	528	229	1952.....	1,181	1,201	432
1945.....	1,433	1,208	454	1953.....	1,292	1,220	504
1946.....	1,169	1,155	468	1954.....	1,309	1,806	507
1947.....	1,041	897	612	1955.....	1,473	1,400	580
1948.....	939	1,102	449	3 quarters of 1956..	1,260	1,189	651

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	373	367	162	1949.....	580	612	209
1942.....	411	406	167	1950.....	638	622	225
1943.....	256	300	123	1951.....	846	752	319
1944.....	206	224	105	1952.....	877	926	270
1945.....	314	271	148	1953.....	978	914	334
1946.....	395	345	198	1954.....	1,044	1,016	362
1947.....	481	476	203	1955.....	1,155	1,122	395
1948.....	516	478	241	3 quarters of 1956..	865	847	413

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	167	146	64	1950.....	222 (13)	350	104
1942.....	163	150	77	1951.....	247 (2)	218	133
1943.....	228 (38)	173	132	1952.....	304 (13)	275	162
1944.....	296 (124)	304	124	1953.....	314 (6)	306	170
1945.....	1, 119 (928)	937	306	1954.....	265	290	145
1946.....	774 (650)	810	270	1955.....	318	278	185
1947.....	560 (407)	421	409	3 quarters of 1956.....	395	342	238
1948.....	423 (259)	624	208				
1949.....	673 (397)	649	232				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	428	420	112	1949.....	366	361	53
1942.....	366	335	143	1950.....	361	383	44
1943.....	329	369	103	1951.....	426	395	74
1944.....	585	564	124	1952.....	472	443	100
1945.....	607	576	155	1953.....	529	531	112
1946.....	293	374	74	1954.....	502	538	91
1947.....	358	382	56	1955.....	367	409	55
1948.....	319	365	33	3 quarters of 1956.....	233	235	59

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Texas (northern)	National average ²	Texas (northern)	National average ²	Texas (northern)	National average ²
1941.....	3	180	164	124	82	143	153
1942.....	3	191	168	137	77	122	161
1943.....	3	161	158	85	58	110	174
1944.....	3	167	169	69	56	195	184
1945.....	3	478	295	105	57	202	176
1946.....	3	390	321	132	70	98	142
1947.....	3	347	271	160	109	119	134
1948.....	3	313	205	172	117	106	123
1949.....	3	418	238	193	121	122	123
1950.....	3	287	222	213	113	120	116
1951.....	3	364	204	282	111	142	106
1952.....	3	394	236	292	126	157	112
1953.....	3	431	261	326	146	166	114
1954.....	3	436	210	348	127	164	103
1955.....	3	491	212	385	126	111	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried*¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Texas (northern)	National median	Texas (northern)	National median
1945.....	88	4.7	9.0	3.1	5.3
1946.....	128	4.1	8.9	2.2	5.0
1947.....	144	4.2	9.0	2.9	5.1
1948.....	207	5.2	9.9	3.7	5.8
1949.....	283	4.3	10.4	3.1	5.9
1950.....	244	4.8	11.2	3.1	6.7
1951.....	173	4.9	12.2	3.4	7.3
1952.....	169	4.6	12.1	3.4	7.0
1953.....	178	4.5	12.4	3.1	7.4
1954.....	179	4.8	13.5	3.3	8.1
1955.....	183	4.4	14.6	3.0	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—*Cases commenced per judgeship in this district and in 86 district by nature of suit, fiscal year 1955*

	Texas (northern)	86 districts
Civil cases:		
Total cases.....	491	212
United States cases.....	106	86
Private cases.....	385	126
United States cases:		
United States plaintiff.....	85	68
Land condemnation.....	7	3
Fair Labor Standards Act.....	1	2
Other enforcement suits.....	3	3
Food and Drug Act.....	1	5
Liquor laws.....	—	2
Other forfeitures and penalties.....	10	4
Negotiable instruments.....	31	25
Other contracts.....	27	16
Other United States plaintiff.....	5	8
United States defendant.....	21	17
Enjoin Federal agencies.....	2	3
Habeas corpus.....	3	4
Tort Claims Act.....	2	4
Tax suits.....	10	4
Other United States defendant.....	4	3
Private cases:		
Federal question.....	28	31
Copyright.....	2	1
Employers' Liability Act.....	10	6
Fair Labor Standards Act.....	—	1
Habeas corpus.....	—	3
Jones Act.....	—	9
Miller Act.....	4	1
Patent.....	3	3
Other Federal question.....	10	7
Diversity of citizenship.....	357	84
Insurance.....	247	14
Other contracts.....	31	15
Real property.....	14	3
Personal injury (motor vehicle).....	37	32
Personal injury (other).....	17	15
Other diversity.....	11	5
Admiralty.....	—	11
Criminal cases (less immigration).....	111	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	212	179	72	107	33	8	25
1952.....	229	191	82	109	38	5	33
1953.....	252	208	87	121	44	8	36
1954.....	261	188	63	125	73	18	55
1955.....	231	190	56	134	41	3	38

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Texas (northern)	National average ¹	Texas (northern)	National average ¹	Texas (northern)	National average ¹
1951.....	3	71	39	60	28	11	11
1952.....	3	76	40	64	27	13	13
1953.....	3	84	44	69	29	15	15
1954.....	3	87	40	63	25	24	15
1955.....	3	77	41	63	26	14	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Texas (northern)	National average
Total civil cases.....	193	258
United States civil cases.....	62	89
Private civil cases.....	132	169
United States plaintiff.....	49	58
Land condemnation.....	13	13
Antitrust.....	2	8
Other enforcement suits.....	4	4
Forfeitures and penalties.....	14	13
Negotiable instruments.....	12	13
Other contracts.....	3	7
Other United States plaintiff.....	3	7
United States defendant.....	13	31
Tort Claims Act.....	1	7
Tax suits.....	9	8
Other United States defendant.....	2	16
Federal question.....	14	47
Antitrust.....	1	2
Copyright.....	1	2
FELA.....	4	8
Jones Act.....	18	18
Patent.....	3	5
Other Federal question.....	6	12
Diversity of citizenship.....	118	98
Insurance.....	64	10
Other contracts.....	12	20
Real property.....	7	2
Personal injury (motor vehicle).....	18	34
Personal injury (other).....	5	21
Other diversity.....	11	11
Admiralty.....		24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	580	424	64	45	9	10	11	17
United States civil.....	185	114	29	16	2	6	8	10
United States plaintiff..	147	94	21	8	1	5	8	10
United States defendant.	38	20	8	8	1	1		
Private civil.....	395	310	35	29	7	4	3	7
Federal question.....	42	25	5	8	2			2
Diversity.....	353	285	30	21	5	4	3	5
Admiralty.....								

WESTERN DISTRICT OF TEXAS

The bill authorizes 1 additional district judge for the western district of Texas, thus increasing the number there from 2 to 3 judgeships.

The district comprises six divisions, holding court at Austin, Del Rio, El Paso, Pecos, San Antonio, and Waco. The Judicial Code of 1911 provided 1 district with 1 judge and in 1917 a second judgeship was authorized. The district is noted for the great distances which it covers and because of that one judge usually handles the business of the court in the eastern half of the district while the other takes care of the western part. These distances had added to the burdens of the court since travel often results in delay.

In the year 1955, in spite of the fact that the court terminated 635 civil cases, it still faced a backlog of 682 cases, most of which were private civil cases.

The court handles a tremendous volume of criminal cases, many of which are immigration matters which, while not complicated matters, nevertheless do take up a great deal of judicial time when it is considered that these cases run into the thousands each year. The caseload per judgeship for the district exceeds the national average in all civil cases as well as private civil cases and criminal matters.

This bill has been recommended by the Judicial Conference of the United States and by the Department of Justice. A memorandum of the judicial business of the court, prepared by the Administrative Office of the United States Courts, is attached as a part of this report.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS

The civil business of the court for many years has been characterized by a large number of suits by employees to set aside awards of the Industrial Accident Board of Texas, about half of which are removed to the district court by defendant insurance companies because of diversity of citizenship. The criminal caseload consists of a very large number of immigration cases and a more than average number of other types, including many narcotics and fraud cases.

In the years since World War II there has been a rise in the number of cases commenced, both civil and criminal. In the last 2 fiscal years,

however, there was a decline in the number of civil cases commenced, from 777 in 1953 to 680 in 1955. This is principally the result of fewer workmen's compensation cases and other suits against insurance companies under the diversity jurisdiction which declined 71 cases this year from 328 to 257. However, there has been a very large increase in private civil cases since 1946, from 149 to 452. The criminal caseload fell considerably this year because of fewer cases of illegal immigration which declined by over 2,000 cases. These cases fluctuate in number, depending to a great extent upon the activity of the Immigration and Naturalization Service. The number of total civil, private civil, and criminal cases commenced in the district in the last 10 years is shown in the following table:

Cases commenced

Fiscal year	Total civil	Private civil	Criminal		
			Total	Immigration ¹	Other
1946.....	561	149	2, 285	1, 663	622
1947.....	706	239	2, 770	2, 056	714
1948.....	574	320	3, 199	2, 575	624
1949.....	687	321	4, 793	4, 266	527
1950.....	553	327	5, 051	4, 590	461
1951.....	526	294	4, 833	4, 349	484
1952.....	663	386	5, 105	4, 334	771
1953.....	777	457	5, 514	4, 916	598
1954.....	732	495	6, 108	5, 636	472
1955.....	680	452	3, 967	3, 552	415

¹ This column is the number of defendants which is usually 1 per case.

In every year since the fiscal year 1947 the civil caseload in the western district of Texas has exceeded the national average of civil cases commenced per judgeship. In the fiscal year 1955 the total civil caseload of cases commenced per judgeship was 340 compared to the national average of 212 civil cases per judgeship, and the private civil caseload was 226 or almost twice the national average of 126 such cases per judgeship. This is a significant factor because private civil cases on the average require more time for disposition than do other types of cases.

More criminal cases have been commenced in this district in the past few years than in any other district court, but most of the cases are illegal immigration cases which on the average require very little time to dispose of. Yet when these cases are filed in volume, as they are in this district, they are a considerable burden on the court. And even without the immigration cases the district has a caseload of criminal cases twice the average. In the fiscal year 1954 there were 208 criminal cases commenced per judgeship in this district exclusive of immigration cases, compared to a national average of 104 such cases per judgeship.

In general the court has been able to keep up with the heavy filings, but nevertheless the number of pending civil cases has been steadily increasing since 1948. On June 30 of that year there were 363 civil cases pending in the district and by June 30, 1955, this figure had increased to 682. The median time interval from filing to disposition of civil cases terminated after trial during the fiscal year 1955 was 11.8 months compared to the national median of 14.6 months, and the

median interval from issue to trial was 4.5 months compared to the national median of 9.1 months.

In the last 11 years the number of civil cases commenced annually has been evenly divided between the 3 divisions in the eastern half of the district and the 3 in the western half. The Del Rio, El Paso, and Pecos divisions in the western part are the divisions which border on Mexico and it is here that 80 percent of the criminal cases are filed. Most of them are illegal immigration cases. In addition to the large caseload the judge who serves this part of the district travels farther because of longer distances between places of holding court. It is almost 400 airline miles from El Paso to Del Rio, the 2 places where most of the criminal cases are filed.

The number of trials in this district is unusually large. In 1954 there were 90 civil trials and 55 criminal trials, a total of 145. In 1955 the total was 130 trials consisting of 70 civil trials and 60 criminal trials.

Complete statistical tables showing the judicial business in this district during the last 15 fiscal years and tables showing the number of civil and criminal cases commenced by division, since 1945 are attached.

Civil cases commenced in the western district of Texas, by office

Fiscal year	Total	Austin	Del Rio	El Paso	Pecos	San Antonio	Waco
1945.....	632	67	17	137	93	143	175
1946.....	561	36	38	111	115	93	168
1947.....	706	43	16	183	170	190	104
1948.....	574	45	9	124	202	131	63
1949.....	687	52	10	152	213	166	94
1950.....	553	53	14	79	190	93	124
1951.....	526	79	11	88	154	99	95
1952.....	663	47	9	125	228	128	126
1953.....	777	66	17	126	251	219	98
1954.....	732	72	13	65	234	170	173
1955.....	680	58	23	85	233	176	105

Criminal cases commenced in the western district of Texas, by office ¹

Fiscal year	Total	Austin	Del Rio	El Paso	Pecos	San Antonio	Waco
1945.....	2,915	85	130	2,347	2	294	57
1946.....	2,285	42	288	1,625	-----	295	35
1947.....	2,787	35	200	2,028	4	494	26
1948.....	3,223	43	356	2,247	6	541	30
1949.....	4,804	56	355	3,823	10	524	36
1950.....	5,065	25	444	4,210	5	354	47
1951.....	4,854	23	1,475	2,627	3	687	39
1952.....	5,121	26	1,331	2,890	17	789	68
1953.....	5,533	41	1,049	3,416	22	971	34
1954.....	6,136	33	883	4,037	13	1,132	38
1955.....	3,993	51	679	2,634	11	562	56

¹ Includes transferred cases.

OMNIBUS JUDGESHIP BILL

WESTERN DISTRICT OF TEXAS

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	217	234	103	1949.....	687	612	438
1942.....	263	190	176	1950.....	553	586	405
1943.....	455	308	323	1951.....	526	448	483
1944.....	366	370	319	1952.....	663	585	561
1945.....	632	489	462	1953.....	777	679	659
1946.....	561	607	416	1954.....	732	754	637
1947.....	706	553	569	1955.....	680	635	682
1948.....	574	780	363	3 quarters of 1956..	480	429	733

PRIVATE CIVIL CASES

Fiscal year	Com- menced	Termi- nated	Pending June 30	Fiscal year	Com- menced	Termi- nated	Pending June 30
1941.....	105	128	43	1949.....	321	264	193
1942.....	138	110	71	1950.....	327	297	223
1943.....	112	86	97	1951.....	294	291	226
1944.....	99	114	82	1952.....	386	335	277
1945.....	103	104	81	1953.....	457	386	348
1946.....	149	139	91	1954.....	495	484	359
1947.....	239	181	149	1955.....	452	469	342
1948.....	320	333	136	3 quarters of 1956..	333	293	382

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Termi- nated	Pending June 30	Fiscal year	Commenced	Termi- nated	Pending June 30
1941.....	112	106	60	1950.....	226 (17)	289	182
1942.....	125	80	105	1951.....	232 (—)	157	257
1943.....	343 (128)	222	226	1952.....	277 (16)	250	284
1944.....	267 (102)	256	237	1953.....	320 (4)	293	311
1945.....	529 (377)	385	381	1954.....	237	270	278
1946.....	412 (251)	468	325	1955.....	228	166	340
1947.....	467 (282)	372	420	3 quarters of 1956..	147	136	351
1948.....	254 (110)	447	227				
1949.....	366 (157)	348	245				

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941—Con.*CRIMINAL CASES ²

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941-----	1,227	1,223	45	1950-----	5,051 (4,590)	5,040	84
1942-----	1,131 (608)	1,118	58	1951-----	4,833 (4,349)	4,853	62
1943-----	1,268 (763)	1,261	65	1952-----	5,105 (4,307)	4,979	185
1944-----	1,945 (1,266)	1,937	73	1953-----	5,514 (4,896)	5,466	220
1945-----	2,915 (2,265)	2,899	89	1954-----	6,108 (5,610)	6,179	139
1946-----	2,285 (1,663)	2,323	51	1955-----	3,967 (3,552)	3,948	145
1947-----	2,770 (2,056)	2,748	74	3 quarters of			
1948-----	3,199 (2,575)	3,171	92	1956-----	1,471	1,465	152
1949-----	4,793 (4,266)	4,763	94				

² Criminal illegal immigration cases commenced are listed in parentheses for 1952 and subsequent years and they are included in the figure which they follow. For the years 1942 through 1951 the number of defendants, usually 1 per case, is shown separately. These cases are listed because they constitute a large proportion of the criminal cases in the district, although pleas of guilty are entered in almost all of them with the result that the judicial time devoted to the disposition of each case is relatively small.

TABLE 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ¹	
		Texas (western)	National average ²	Texas (western)	National average ²	Texas (western)	National average ²
1941-----	2	109	164	53	82	-----	153
1942-----	2	132	168	69	77	262	161
1943-----	2	228	158	56	58	253	174
1944-----	2	183	169	50	56	340	184
1945-----	2	316	295	52	57	325	176
1946-----	2	281	321	75	70	311	142
1947-----	2	353	271	120	109	357	134
1948-----	2	287	205	160	117	312	123
1949-----	2	344	238	161	121	264	123
1950-----	2	277	222	164	113	231	116
1951-----	2	263	204	147	111	242	106
1952-----	2	332	236	193	126	399	112
1953-----	2	389	261	229	146	309	114
1954-----	2	366	210	248	127	249	103
1955-----	2	340	212	226	126	208	104

¹ Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

² This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Time elapsing in civil cases tried*¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Texas (western)	National median	Texas (western)	National median
1945.....	21		9.0		5.3
1946.....	38	4.4	8.9	3.7	5.0
1947.....	39	6.4	9.0	3.7	5.1
1948.....	86	6.8	9.9	3.9	5.8
1949.....	82	6.7	10.4	4.3	5.9
1950.....	72	7.9	11.2	6.2	6.7
1951.....	54	10.3	12.2	6.2	7.3
1952.....	43	11.0	12.1	6.3	7.0
1953.....	65	12.8	12.4	8.3	7.4
1954.....	78	11.7	13.5	8.9	8.1
1955.....	62	11.8	14.6	4.5	9.1

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk on the basis of the number of cases terminated after trial for the last years, provided there were 25 such cases for the 2 years.

TABLE 5.—*Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955*

	Texas (western)	86 districts
Civil cases:		
Total cases.....	340	212
United States cases.....	114	86
Private cases.....	226	126
United States cases:		
United States plaintiff.....	76	68
Land condemnation.....	9	3
Fair Labor Standards Act.....	5	2
Other enforcement suits.....	3	3
Food and Drug Act.....	2	5
Liquor laws.....		2
Other forfeitures and penalties.....	7	4
Negotiable instruments.....	21	25
Other contracts.....	29	16
Other United States plaintiff.....	3	8
United States defendant.....	38	17
Enjoin Federal agencies.....	7	3
Habeas corpus.....	6	4
Tort Claims Act.....	8	4
Tax suits.....	16	4
Other United States defendant.....	3	3
Private cases:		
Federal question.....	14	31
Copyright.....	3	1
Employers' Liability Act.....	1	6
Fair Labor Standards Act.....	1	1
Habeas corpus.....	1	3
Jones Act.....		9
Miller Act.....	3	1
Patent.....	2	3
Other Federal question.....	6	7
Diversity of citizenship.....	212	84
Insurance.....	129	14
Other contracts.....	16	15
Real property.....	4	3
Personal injury (motor vehicle).....	33	32
Personal injury (other).....	22	15
Other diversity.....	10	5
Admiralty.....		11
Criminal cases (less immigration).....	208	104

Table 6

CIVIL AND CRIMINAL TRIALS COMMENCED, BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951.....	132	72	25	47	60	21	39
1952.....	133	64	15	49	69	15	54
1953.....	158	76	31	45	82	16	66
1954.....	145	90	38	52	55	23	32
1955.....	125	67	20	47	58	30	28

CIVIL AND CRIMINAL TRIALS COMMENCED PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Texas (western)	National average ¹	Texas (western)	National average ¹	Texas (western)	National average ¹
1951.....	2	66	39	36	28	30	11
1952.....	2	67	40	32	27	35	13
1953.....	2	79	44	38	29	41	15
1954.....	2	73	40	45	25	28	15
1955.....	2	63	41	34	26	29	15

¹ This column includes 86 districts.

Table 7

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship	
	Texas (western)	National average
Total civil cases.....	341	258
United States civil cases.....	170	89
Private civil cases.....	171	169
United States plaintiff.....	121	58
Land condemnation.....	69	13
Antitrust.....	8	8
Other enforcement suits.....	3	4
Forfeitures and penalties.....	18	13
Negotiable instruments.....	21	13
Other contracts.....	3	7
Other United States plaintiff.....		
United States defendant.....	50	31
Tort Claims Act.....	9	7
Tax suits.....	23	8
Other United States defendant.....	18	16
Federal question.....	13	47
Antitrust.....	1	2
Copyright.....	2	2
FELA.....	1	8
Jones Act.....		18
Patent.....	2	5
Other Federal question.....	8	12
Diversity of citizenship.....	158	98
Insurance.....	78	10
Other contracts.....	18	20
Real property.....	5	2
Personal injury (motor vehicle).....	27	34
Personal injury (other).....	21	21
Other diversity.....	11	11
Admiralty.....		24

Table 7—Continued

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases.....	682	262	141	133	63	28	21	34
United States civil.....	340	95	48	74	52	23	17	31
United States plaintiff.....	241	55	33	55	33	18	16	31
United States defendant.....	99	40	15	19	19	5	1	-----
Private civil.....	342	167	93	59	11	5	4	3
Federal question.....	26	12	5	3	2	1	1	2
Diversity.....	316	155	88	56	9	4	3	1
Admiralty.....	-----	-----	-----	-----	-----	-----	-----	-----

TERRITORY OF ALASKA

The bill provides for 1 additional district judge for the Territory of Alaska, increasing the number of judges there from 4 to 5.

The first United States district court for the Territory of Alaska was established in 1900, at which time 3 judges were authorized for the 3 divisions. In 1909, the Territory was divided into four judicial divisions, with a judge provided for each division. The judges, however, had overall jurisdiction throughout the Territory.

Since the district court of the Territory of Alaska has local as well as Federal jurisdiction, its caseload is not comparable with that of the other Federal district courts. Nevertheless, statistics indicate that the need for this additional judgeship is particularly acute in the third division. At the close of the fiscal year 1955 there were 1,543 civil cases pending. The third division has a judicial business much larger than any of the other divisions within the Territory. In fact, it is larger than the three other divisions combined.

Under the terms of the bill, 1 of the 5 judges authorized for the district would be assigned by the President to the second and third divisions instead of the second division alone. Two judges are authorized for the third division. Under such an assignment, the judge assigned to the second and third divisions will be in a position to render judicial service as a third judge of the third division, which holds most of its business at Anchorage. The provisions of this bill will provide procedure whereby greater flexibility will be possible in the use of judicial manpower in Alaska by authorizing the senior district judge, who is designated chief judge of the district court, to assign district judges to serve outside of their home division when needed, and also by authorizing the assignment of United States circuit and district judges by the chief judge of the ninth circuit or the Chief Justice of the United States whenever it appears that such services are necessary. This should relieve congested dockets in particular divisions in the future.

A contributing factor to the problem of the third division is the extent of the geographical area which it encompasses. It is approximately 250 miles wide and 1,800 long, including the Aleutian Islands. While most of the business is transacted at Anchorage, nevertheless

the judge attempts at least once a year to visit other places. Travel, however, is difficult and at other times of the year virtually impossible.

The judicial Conference of the United States and the Department of Justice have recommended and approved this additional judgeship for the Territory of Alaska. There is attached hereto a memorandum on the judicial business of the court relative to the third division which was prepared by the Administrative Office of the United States Courts.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR
THE TERRITORY OF ALASKA, THIRD DIVISION

The first United States district court for the Territory of Alaska, established by an act approved June 6, 1900 (31 Stat. 322), had 3 judgeships and 3 divisions with prescribed terms of court as Juneau and Skagway for the first division, at St. Michaels for the second division, and at Eagle City for the third division. The act of March 3, 1909 (35 Stat. 839), divided Alaska into four judicial divisions and provided a judge for each who had overall jurisdiction throughout the territory. The number of judicial positions has remained the same since that time.

In 1947 the Territorial Legislature of Alaska recommended an additional judgeship to serve the third division. Early in 1949 the Judicial Conference of the ninth circuit adopted the same recommendation and in the fall of the same year the Judicial Conference of the United States went on record in support of this measure. At each meeting subsequent to that date the Judicial Conference of the United States has reaffirmed this recommendation.

Since 1947 when the proposal was first advanced the civil business of this division has virtually tripled from 436 cases commenced in that year to 1,147 in the fiscal year 1955, and the increase has been a steady one. Criminal cases commenced have increased from 65 in 1947 to 190 in 1955.

Fiscal year	Civil cases commenced	Criminal cases commenced	Fiscal year	Civil cases commenced	Criminal cases commenced
1947.....	436	65	1952.....	853	135
1948.....	462	99	1953.....	1,029	218
1949.....	546	95	1954.....	1,141	173
1950.....	676	145	1955.....	1,147	190
1951.....	746	104			

In the civil caseload the increase has been almost entirely in private civil cases. There were 16 United States civil cases commenced in 1947 and 40 in 1955.

The result of the increased caseloads has been a steady rise in the number of pending cases. On June 30, 1941, there were 140 civil cases pending in the division and by June 30, 1947, this figure had more than doubled to 295. Since then the increase has been rapid and extreme and on June 30, 1955, there were 1,543 civil cases pending. In the past few years the criminal docket has also been increasing. On June 30, 1947, there were 42 cases on the docket and on June 30, 1955, the number was 84.

The rise in pending civil and criminal cases is shown by the following table:

Civil and criminal cases pending third division of Alaska

	Civil	Criminal		Civil	Criminal
June 30, 1941.....	140	16	June 30, 1949.....	466	61
June 30, 1942.....	204	16	June 30, 1950.....	535	74
June 30, 1943.....	226	11	June 30, 1951.....	668	70
June 30, 1944.....	241	32	June 30, 1952.....	814	96
June 30, 1945.....	217	25	June 30, 1953.....	1,052	129
June 30, 1946.....	276	42	June 30, 1954.....	1,366	196
June 30, 1947.....	295	42	June 30, 1955.....	1,543	84
June 30, 1948.....	334	46			

The list of pending civil cases on the calendar as of December 6, 1955, required 155 mimeographed pages with about 10 cases to a page.

The principal categories of civil cases pending on June 30, 1955, were as follows:

	<i>Civil cases pending</i>
Nature of action:	
Total.....	1,543
United States cases.....	62
United States plaintiff.....	40
United States defendant.....	22
Private civil cases.....	1,481
Federal question.....	24
Admiralty.....	2
Local jurisdiction.....	1,455
Contract actions.....	660
Real-property actions.....	174
Tort actions.....	106
Divorce and maintenance.....	439
All other.....	76

The geographical area of this division is extensive. It is approximately 250 miles wide and 1,800 miles long including the Aleutian Islands. Although most of the business is transacted at Anchorage, a judge usually sits once a year at Cordova and from time to time at Valdez and Kodiak. Travel is difficult and at various times during the year virtually impossible.

The judicial business of this district is considerably larger than that of any other division within the Territory. In fact it is larger than that of the other three divisions combined. The comparison of the civil and criminal cases commenced in each division for the last 3 fiscal years is as follows:

Division	Civil cases commenced			Criminal cases commenced		
	1953	1954	1955	1953	1954	1955
Alaska, total.....	1,717	2,028	2,040	373	425	463
First division.....	260	372	381	64	57	82
Second division.....	41	41	42	16	27	34
Third division.....	1,029	1,141	1,147	218	173	190
Fourth division.....	387	474	470	75	168	157

In the past considerable assistance has been rendered to the judge in the third division by the judges in the other divisions and particularly by those in the first and fourth divisions, but this has not been enough to cope with the rising caseloads.

Since the district court for the Territory of Alaska has local as well as Federal jurisdiction, the caseload is not comparable with that in the other Federal district courts. Nevertheless the rising figures of civil and criminal cases pending fully justify the Judicial Conference recommendation which was first made over 6 years ago.

A table showing the number of civil and criminal cases commenced, terminated, and pending in the third division for the last 15 fiscal years and a table showing the trials commenced in the last 5 years are attached.

DISTRICT OF ALASKA, THIRD DIVISION

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	248	218	140	1949.....	546	414	466
1942.....	289	225	204	1950.....	676	607	535
1943.....	317	295	226	1951.....	746	613	668
1944.....	320	305	241	1952.....	853	707	814
1945.....	321	345	217	1953.....	1,029	791	1,052
1946.....	369	310	276	1954.....	1,141	827	1,366
1947.....	436	317	295	1955.....	1,147	970	1,543
1948.....	462	423	334	3 quarters of 1956..	949	886	1,606

PRIVATE CIVIL CASES

Fiscal year	Com-menced	Termi-nated	Pending June 30	Fiscal year	Com-menced	Termi-nated	Pending June 30
1941.....	243	213	136	1949.....	527	402	444
1942.....	272	212	196	1950.....	664	598	510
1943.....	288	282	202	1951.....	730	589	651
1944.....	281	280	203	1952.....	833	697	787
1945.....	303	319	187	1953.....	1,004	780	1,011
1946.....	352	286	253	1954.....	1,125	808	1,328
1947.....	420	402	271	1955.....	1,107	954	1,481
1948.....	449	401	319	3 quarters of 1956..	907	869	1,519

TABLE 2.—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	5	5	4	1950.....	12	9	25
1942.....	17	13	8	1951.....	16	24	17
1943.....	29	13	24	1952.....	20	10	27
1944.....	39	25	38	1953.....	25	11	41
1945.....	18 (9)	26	30	1954.....	16	19	38
1946.....	17 (13)	24	23	1955.....	40	16	62
1947.....	16 (7)	15	24	3 quarters of 1956.....	42	17	87
1948.....	13	22	15				
1949.....	19	12	22				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941.....	61	52	16	1949.....	95	78	61
1942.....	57	57	16	1950.....	145	132	74
1943.....	63	68	11	1951.....	104	103	70
1944.....	70	49	32	1952.....	135	109	96
1945.....	83	90	25	1953.....	218	185	129
1946.....	99	82	42	1954.....	173	106	196
1947.....	65	63	42	1955.....	190	299	84
1948.....	99	98	46	3 quarters of 1956.....	170	162	90

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

AUTHORIZING THE HOLDING OF COURT AT DECATUR, ALA.

The bill authorizes the holding of a term of court for the north-western divisions of the northern district of Alabama at Decatur. Accordingly, it amends section 81 (a) (2) of title 28 of the United States Code. At the present time, court for this division is held at Huntsville. It appears, however, that a considerable amount of litigation originates in the vicinity of Decatur. Therefore, it is recommended that Decatur be designated as a place for holding court. Your committee has been informed that local facilities will be made available at no cost to the Federal Government.

Approval of such a provision is recommended on the basis that it will serve as a convenience to the litigants.

TRANSFERRING MARION COUNTY FROM THE SOUTHERN DIVISION TO THE WINCHESTER DIVISION OF THE EASTERN DISTRICT OF TENNESSEE

This bill provides for the transfer of Marion County from the southern division to the Winchester division of the eastern district of Tennessee. Accordingly it amends section 123 (a) (3) and (4) of title 28 of the United States Code. The purpose of this transfer is to add to the convenience of the public of that county who have litigation in the Federal courts. Such a transfer has been recommended by the local bar associations and it has also received the

approval of the Judicial Council of the Sixth Judicial Circuit wherein the court is located.

TRANSFERRING SHELBY COUNTY FROM THE BEAUMONT DIVISION TO
THE TYLER DIVISION OF THE EASTERN DISTRICT OF TEXAS

The bill authorizes the transfer of Shelby County from the Beaumont division to the Tyler division of the eastern district of Texas. Such a transfer has been approved by the Judicial Council of the Fifth Judicial Circuit wherein it is located. The main reason for such a transfer is for the convenience of litigants and witnesses since Shelby County is located closer to Tyler than it is to Beaumont where the terms of court are held.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives, there is printed below in roman existing law in which no change is proposed, with matter proposed to be stricken out enclosed in black brackets, and new matter proposed to be added shown in italics:

TITLE 28, UNITED STATES CODE

Sec. 44. Appointment, tenure, residence and salary of circuit judges

(a) The President shall appoint, by and with the advice and consent of the Senate, circuit judges for the several circuits as follows:

"Circuits	Number of Judges					
* * * * *	*	*	*	*	*	*
Second-----	Seven [Six]					
* * * * *	*	*	*	*	*	* ⁷⁷

Sec. 133. Appointment and number of district judges

The President shall appoint, by and with the advice and consent of the Senate, district judges for the several judicial districts, as follows:

"Districts	Judges					
* * * * *	*	*	*	*	*	*
California:						
Northern-----	8 [7]					
* * * * *	*	*	*	*	*	*
Colorado-----	3 [2]					
Connecticut-----	3 [2]					
* * * * *	*	*	*	*	*	*
Iowa:						
* * * * *	*	*	*	*	*	*
Northern and Southern-----	3 [2] ¹					
Kansas-----	3 [2]					
* * * * *	*	*	*	*	*	*
Louisiana:						
Eastern-----	3 [2]					
* * * * *	*	*	*	*	*	*
Maryland-----	3 [2]					
* * * * *	*	*	*	*	*	*

						Judges
"Districts						
Michigan:						
Eastern-----						7 [6]
*	*	*	*	*	*	*
Mississippi:						
*	*	*	*	*	*	*
Southern-----						2 [1]
*	*	*	*	*	*	*
New York:						
*	*	*	*	*	*	*
Southern-----						21 [18]
Eastern-----						7 [6]
*	*	*	*	*	*	*
North Carolina:						
*	*	*	*	*	*	*
<i>Eastern, Western and Middle</i> -----						1
*	*	*	*	*	*	*
Ohio:						
Northern-----						6 [5]
*	*	*	*	*	*	*
Pennsylvania:						
Eastern-----						10 [8]
*	*	*	*	*	*	*
Texas:						
Northern-----						4 [3]
*	*	*	*	*	*	*
Western-----						3 [2]
*	*	*	*	*	*	*

TITLE 48, UNITED STATES CODE

Sec. 101. District court; judges; divisions

There is established a district court for the [District] Territory of Alaska, with the jurisdiction of district courts of the United States and with general jurisdiction in civil, criminal, equity, and admiralty causes; and [four] five district judges shall be appointed for the [district] Territory, each at an annual salary of \$22,500, who shall during their terms of office reside in the divisions, or one of the divisions, of the [district] Territory to which they may be respectively assigned by the President. Court shall consist of four divisions, corresponding to the divisions into which the Territory is divided by this section which shall also be recording divisions. The President shall assign one of the district judges to the first division, one to the second and third divisions, two to the third division and one to the fourth division. The district judge who is senior in length of judicial service in the Territory shall be the chief judge of the district court. The chief judge may designate and assign temporarily any district judge to hold sessions of the district court in a division of the Territory other than that to which he has been assigned by the President. Whenever it is made to appear that such an assignment is necessary for the proper dispatch of the business of the district court the Chief Judge of the Ninth Judicial Circuit of the United States may

assign a circuit or district judge of the Ninth Circuit, or the Chief Justice of the United States may assign any other United States circuit or district judge with the consent of the judge so assigned and of the chief judge of his circuit, to serve temporarily as a judge of the district court for the Territory of Alaska.

* * * * *

TITLE 28, UNITED STATES CODE

Sec. 81. Alabama

* * * * *

NORTHERN DISTRICT

(a) The Northern District comprises seven divisions.

* * * * *

(2) The Northeastern Division comprises the counties of Cullman, Jackson, Lawrence, Limestone, Madison, and Morgan.

Court for the Northeastern Division shall be held at Huntsville and Decatur.

* * * * *

Sec. 123. Tennessee

* * * * *

EASTERN DISTRICT

(a) The Eastern District comprises four divisions.

* * * * *

(3) The Southern Division comprises the counties of Bledsoe, Bradley, Hamilton, McMinn, [Marion,] Meigs, Polk, Rhea, and Sequatchie.

Court for the Southern Division shall be held at Chattanooga.

(4) The Winchester Division comprises the counties of Bedford, Coffee, Franklin, Grundy, Lincoln, Marion, Moore, Van Buren, and Warren.

Court for the Winchester Division shall be held at Winchester.

* * * * *

Sec. 124. Texas

EASTERN DISTRICT

(c) The Eastern District comprises six divisions.

(1) The Tyler Division comprises the counties of Anderson, Angelina, Cherokee, Gregg, Henderson, Houston, Nacogdoches, Panola, Rains, Rusk, Shelby, Smith, Van Zandt, and Wood.

Court for the Tyler Division shall be held at Tyler.

(2) The Beaumont Division comprises the counties of Hardin, Jasper, Jefferson, Liberty, Newton, Orange, Sabine, San Augustine, [Shelby,] and Tyler.

Court for the Beaumont Division shall be held at Beaumont.

* * * * *

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